

DR. AMBEDKAR IN THE BOMBAY LEGISLATURE

Contents

1. [On Budget: 1, 24th February 1927](#)
2. [On Budget : 2, 21st February 1928](#)
3. [On Budget : 3, 2nd March 1938](#)
4. [On Budget : 4, 21st February 1939](#)
5. [On the Finance Act Amendment Bill, 28th August 1939](#)
6. [On Grants for Education, 12th March 1927](#)
7. [On the Bombay University Act Amendment Bill: 1, 27th July 1927](#)
8. [On the Bombay University Act Amendment Bill : 2, 1st October 1927](#)
9. [On the Bombay University Act Amendment Bill : 3, 3rd October 1927](#)
10. [On the Bombay University Act Amendment Bill : 4, 5th October 1927](#)
11. [On the Bombay Primary Education Act Amendment Bill: 1, 21st April 1938](#)
12. [On the Bombay Primary Education Act Amendment Bill 2, 30th April 1938](#)
13. [On the Bombay Primary Education Act Amendment Bill 3, 30th April 1938](#)
14. [Bill No. XII of 1928 to amend the Bombay Hereditary Offices Act, 19th March 1928](#)
15. [On the Hereditary Offices Act Amendment Bill : 1, 3rd August 1928](#)

[PART II](#)

[PART III](#)

[APPENDICES](#)

1

ON BUDGET: 1

Dr. B. R. Ambedkar: Mr. President, the budget discussion has gone on for a long period, and I feel that all that could have been said has already been said. It would therefore have been better for a new member like me to keep silent. But I feel that there is a point of view, which has not yet been placed before this House, and as I represent that point of view, I think it is my duty to give

expression to it.

Mr. President, when one begins to criticise the budget, one is at the outset overcome with a feeling of helplessness. For the range of effective criticism is indeed very small. The total estimated expenditure as given in this budget is something like 36 per cent. The total estimated revenue of this presidency is 15 1/2 crores, and out of this about 9 1/2 crores is being levied by the Executive without the consent of this Council. I refer to the land revenue and excise revenue. So taking both the expenditure and revenue into consideration, I think it is fair to say that the criticism which one has to make is indeed very limited, because the Council can only deal with 64 per cent of the expenditure and 40 per cent of the revenue. But taking the things as they are, Mr. President, I proceed to offer such remarks as I am capable of making.

Commencing with the revenue side of the budget, I wish to deal with it, in the first place, from the standpoint of the Honourable the Finance Member, and secondly, from the standpoint of the taxpayers. The Honourable the Finance Member will agree with me when I say that the first and most essential requirement of a good revenue system is that it should be reliable. It does not matter whether that revenue system brings in large revenue or small revenue. But whatever it brings, it ought to be certain in its yield. Judging the revenue side from this standpoint, I find that the land revenue, which is the largest item in the budget, is capable of a variation of something like 50 lakhs. If you take "Excise", the second largest source of revenue, you find that since the inception of the Reforms, it has shown a variation of 73 lakhs. I, therefore, invite the attention of my friend, the Honourable the Finance Member, to consider the consequences that would follow if these two items in the revenue system varied in the same direction. If they did, then I think they will land him into a ditch of more than one crore. I do not know whether such a system of revenue is a system on which the Honourable the Finance Member should rely. But it is for him to see that and not for me, because he is in charge of the finances of this country.

Now, Mr. President, taking the same items of revenue into consideration and judging them from the standpoint of the taxpayers, I think the revenue system of this presidency is inequitable and indefensible. Take first of all the land revenue. Whatever may be the quibbles, whether it is tax or whether it is rent, I may say that there is no doubt that this land revenue is a tax on the profits of the businessman. If these two levies are the same, I want to know from the Honourable the Finance Member as to why there should be difference in the methods of levying the two. Every farmer, whatever may be his income, is brought under the levy of the land tax. But under the income tax no person is called upon to pay the tax, if he has not earned any income during the year.

That system does not exist as far as land revenue is concerned. Whether there is a failure of crop or abundance of crop, the poor agriculturist is called upon to pay the revenue. The income tax is levied on the recognised principle of ability to pay. But under the land revenue system, a person is taxed at the same rate, whether he is a owner of one acre of land, or a jahagirdar or an inamdar. He has to pay the tax at the same rate. It is a proportionate tax and not a progressive tax as it ought to be. Again under the income tax holders of income below a certain minimum are exempted from levy. But under the land revenue the tax is remorselessly collected from every one, be he rich or poor.

Take again the " Excise ". This is an item from which a large revenue is derived. There can be no two opinions that this is public legal monopoly. This was not meant for the purpose of enabling the Government to raise revenue, but the monopoly was enacted because the Government would be in a better position to put a stop to demoralisation of the people by spread of the habit of drink. If collection of revenue is the only aim there is no necessity for a Government monopoly. How has this monopoly been managed by Government ? If you take the figures as to how much the people of each Presidency spend in drinking, you will find that the Bombay Presidency stands first so far as the drinking habit is concerned. I find in Madras every individual spends Re. 1-3-7 (Re. 1.22), in Bengal Re. 0-7-1 (Re. 0.45), in United Provinces Re. 0-4-7 (Re. 0.28), in Punjab Re. 1-7-8 (Re. 1.48), in Burmah Re. 1-4-0 (Re. 1.25), Bihar and Orissa Re. 0-8-7 (Re. 0.58), in Central Provinces and Berar Re. 0-15-0 (Re. 0.94), in Assam Re. 0-13-3 (Re. 0.83), but in Bombay we have the appalling figure of each individual spending Rs. 2-2-9 (Rs. 2.18). I ask my honourable friend the Finance Member whether this is a defensible system. Mr. President, Government has accepted the policy of prohibition and has adopted certain measures for carrying out that policy to fruition. But they have not done so. The first of such measures is rationing. Now, Sir, the quantity of country liquor rationed out by Government beyond which it was not to sell was fixed at 1,883,804 gallons. But the limit fixed was only an idle pretence at checking consumption. For the actual quantity consumed was only 1,405, 437 gallons, i.e., the actual quantity rationed was in excess of the actual quantity consumed by 478,367 gallons. I understand that a second measure adopted for carrying the policy of prohibition to fruition was the appointment of an advisory committee. But I have found that 40 per cent of the composition of this advisory committee is composed of anti-prohibitionists. I do not think, Mr. President, that the Government benches are treating this Council with respect which it is their due. Mr. President, while I am speaking about the financial system of this country, I think, it is fair to suggest to my honourable friend the Finance Member that the prosperity of the people is the greatest patrimony of the State.

He should not demoralise them or he should not beggar them. A state that beggars its people ends in begging itself.

Mr. President, I now want to touch—I know my time is very brief and I hope you will be pleased to allow me a little more time if you can.

The Honourable the President : No, no.

Dr. B. R. Ambedkar: Coming to the other sources of revenue, I do not think that the Honourable the Finance Member is doing his best in husbanding the resources of this presidency to the best advantage. For instance, taking the forests as a source of revenue, in 1921-22 the forest revenue was Rs. 74.9 lakhs; in 1927-28 the forest revenue was only Rs. 74 lakhs. There is, you will see, therefore, a stagnation of the revenue. But if you take the expenditure that has been incurred on the forests, you will see that the expenditure has increased from Rs. 40 lakhs to Rs 48 lakhs ; so that, ultimately, when we come to speak about the net gain from forests, you find a loss of something like Rs. 4 lakhs.

Mr. President, I next want to speak of irrigation and civil works. I think I will be wasting my time in giving details. But I do want to say one thing, Mr. President, that when Government undertakes a certain industry or work, it does it primarily for revenue; or it does it primarily for service though incidentally for revenue; or it may be that it does it primarily for service. I do not think that the Government has any defined or definite policy with regard to the services it has undertaken. For instance, I personally feel—there might be difference of opinion between me and the other honourable members of this House—but I do feel that the Irrigation Department is not giving us the full return that we are entitled to get from them. I think if my honourable friend refers to the Taxation Inquiry Committee's report, he will find that the water rate is very low. I think we on this side of the House are entitled to expect from him better husbanding of the resources of this presidency.

Mr. President, I now turn to the expenditure side of this budget. I know most members of this House are alarmed at the deficit. I may say I am not. *A* Deficit is not something, which ought to alarm honourable members. What has disquieted me is this that the deficit in the budget is not due to any inclusion in it of a large policy of social advancement. The deficit is due entirely to the increase in cost on the non-productive charges of the administration. Mr. President, the honourable member the Secretary of the Finance Department was yesterday very wise, I should say, in telling the House to be reasonable. He said that if the honourable members of this House desires that they should be taken seriously by the Government benches, they should be reasonable. Mr. President, I admit the force of that argument. But I want to send the argument back to him and ask him whether the increase in expenditure that has taken

place in this presidency is reasonable and can be justified on the ground of increase of the administrative quality.

Mr. President, when you compare the cost of administration in this presidency from the year 1910 to the year 1927-28—and I am taking only figures of such departments for the purpose of comparison as were wholly provincial then and as are wholly provincial now—I find under General Administration the charges in 1910-11 were only Rs. 17 lakhs. Today they are Rs. 126 lakhs. I ask my honourable friend the Finance Secretary whether that is reasonable.

Mr. G. Willes: If the honourable member will permit me, I would point out to him that I explained to the honourable member Rao Saheb Dadubhai Desai yesterday that the figures given in the statements in the budget should be used with great care. The classification of General Administration before the reforms is not the classification, which is taken now. There was an item of expenditure on account of alienated lands which was then shown under another head and which is now included under the head of General Administration.

Dr. B. R. Ambedkar: Be that as it may, we are bound to take the statements as are given there, of course, subject to the correction as my honourable friend has said. But I do think that the cost of General Administration in this presidency has been very heavy. In fact, it had no justification even from past history of this presidency. We have to day, for instance, four Executive Councillors and three Ministers, and we have under them Secretaries and Deputy Secretaries numbering about 25 or so. I do not think that my honourable friend the Finance Secretary will say that that is something reasonable. The Honourable the Finance Member has tried to explain away this extravagant cost of administration in this presidency. I hope, Mr. President, you will give me some little time ..

The Honourable the President: No. I am so hard pressed for time, the honourable member will understand. He has got only two minutes more.

Dr. B. R. Ambedkar: Mr. President of course, I will drop what I had to say, and I will now come to my conclusion. In this part of my speech, Mr. President, I want to make my position quite clear. We have been hearing from honourable members that there should be severe retrenchment. I have joined and I do join in that chorus with all earnestness, for I believe there is room for retrenchment. But, Sir, I cannot disguise from myself the fact that this retrenchment will not take us very far. Taking retrenchment as its highest, I think it would quite probably give us a relief of a crore or two crores of rupees. But how far will it go? I know by that means we could perhaps balance the budget. But is that the only ambition of this House that the budget should be balanced? I hope, and I hope I am right in saying, that this Council is really earnest in its desire for compulsory education, for medical relief, for freedom of the people from the

habit of drink, and for providing all the amenities of life. Then, I want to remind this House that the good things of this earth do not fall from heaven. Every progress has its bill of costs and only those who pay for it will have that progress.

2
ON BUDGET: 2

Dr. B. R. Ambedkar: Sir, the budget is no doubt an unsatisfactory budget in so far as it is really a deficit budget. But if it was only unsatisfactory on account of the fact that it discloses a deficit, I do not think it would have been necessary for me to take any serious notice of it. The budget however is not merely unsatisfactory but it is, I think Sir, a deplorable budget and the state of affairs is indeed a very serious state of affairs.

You know, Sir that we are practically coming to a close of the first decade of the Montagu-Chelmsford Reforms. That being so, it is certainly worth our while to take stock of the situation as from the year 1921 up to now. Now, Sir, these Reforms were introduced in order that the transferred subjects may receive greater consideration at the hands of the Government than the subjects, which are, called "Reserve". But, Sir, if you analyse the expenditure of this presidency from the year 1921 up to now, what do we find ? We find that the hopes that were entertained, that under the new regime objects of expenditure which help progress will receive preference over subjects which merely help the maintenance of law and order, have failed to come true.

I shall now show how it is so. I have collected some figures of expenditure incurred in various provinces on the " transferred " and " reserved " departments and with your permission, Sir, I beg to present those figures to this House, so that the House may know how deplorable the situation is. The figures I am giving show the percentage increase or decrease of expenditure in 1925-26 as compared with the year 1921-22 over the transferred and reserved departments in the various provinces. These figures are as under :—

	Reserved Department		Transferred Department	
	Increase Per cent.	Decrease Per cent.	Decrease Per cent.	Decrease Per cent.
Madras	1.21	-	14.26	-
Bombay	6.33	-	5.82	-
Bengal-	-	-	6.11	-

	Reserved Department	Transferred Department
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	Increase Per cent.	Decrease Per cent.	Decrease Per cent.	Decrease Per cent.
United Provinces *	-	-	12.57	-
Punjab	10.40	-	29.41	-
Burmah	34.36	-	6.44	-
Bihar and Orissa	5.89	-	44.66	-
Central Provinces	6.24	-	18.15	-
Assam	8.24	-	12.75	-

Sir, if we look at these figures what do we find ? I am sorry to find, and I am sure every one in this House will be sorry to find, that such an important province as Bombay should occupy the very lowest place in the order of its relative expenditure on the reserved and transferred departments. Even the province of Burmah, which appears to have been so badly managed, stands higher than Bombay in this respect. I, therefore, submit, Sir, that that is a grave scandal. Surely this is not the way in which the finances of an important presidency like the Bombay Presidency should be managed. I wish the Honourable the Finance Member had paid more attention to the "transferred" departments than he seems to have actually paid to them. From the figures it is evident that the reserved departments are systematically over-fed and the transferred departments are systematically starved. Sir, what good is an Indian Finance member if he is not to respond to the wishes of his countrymen. There is a general clamour for progress on all hands. The Honourable, the Finance Member knows how very insistent the clamour is. But unfortunately he has so far done nothing to lead us to hope for anything at his hands in the future.

Then, Sir, not only are the finances badly managed, but I submit, that the financial position of this presidency is indeed very serious. Sir, if you examine the financial position year by year from 1921-22 to the present day, you will find that every year there is a reduction of the surplus; so much so that instead of having surplus budgets we have exhausted our surpluses and we have now reached a period where the budget discloses a series of deficits. In 1922-23 there was a surplus of Rs. 64 lakhs. In 1923-24 the surplus came down to Rs. 29,38 lakhs. In the year 1925-26 the year was closed with a deficit of Rs. 91 lakhs ; and we know what has been the state of affairs since then. You see, Sir, from these figures that the financial position of this presidency is deteriorating year by year, and I submit, Sir, that having regard to the commitments made by Government, the position in time to come is indeed going to be very serious. Sir, you know the loan arrangements will have soon to be paid off. Some arrangement shall have to be made for the repayment of that loan that is bound to cast a heavy burden on the already exhausted finances of the presidency.

Sir, this Council and the Government have been committed to universal compulsory primary education. This Council and Government are also committed to the carrying out of the policy of prohibition. These three items, I do not think any honourable member of Government is going to deny, are going to make a very heavy call upon the finances of this presidency. And when our finances are deteriorating year by year even without these three items, I cannot quite imagine what will be the state of affairs when we begin to give these items a practical shape. Finding myself in this situation what surprises me most is that all this does not seem to trouble the Honourable the Finance Member at all. He does not disclose that he is aware of all these commitments. In the financial statement he has submitted he does not show that he is conscious of these obligations. He is merely, if I may say so, carrying through a hand-to-mouth policy, a policy for the day without any thought for the morrow. There is no outline of a general policy, which will improve the future exigencies of the situation. After me the deluge seems to be his watchward. He is merely trying to meet the deficit of the budget. He is calculating upon what he might be able to gain out of the reduction in the famine insurance grant, and in the Meston contribution. But I ask him in all seriousness whether these small, paltry gains, as I call them, are going to really take us a long way in the financial stabilisation of the presidency ? I think, Sir, it would be a mistake to suppose that they can. Either the Honourable the Finance Member must assure us that there are sufficient possibilities of economy in the administration of this presidency which will carry us through, or he should tell us definitely that we shall not get what we want unless we have recourse to taxation. I respectfully refer to the speech made yesterday by His Excellency the Governor. In that speech His Excellency pointed out that the Legislative Council was entirely responsible for taxation, that it was within its powers to impose such taxation as was necessary I admit that the Legislative Council has; the power of taxation. But I also submit that the initiation in the matter must come from Government. It is the Government that must suggest what taxation it wants. Has the Government done so ? The Government on the contrary is absolutely sitting silent. It does not propose to tell us what it is going to do. It cannot be said that Government has not got the data to work out a plan. We all know that the Taxation Enquiry Committee has submitted a most exhaustive report, with endless recommendations, which ought to suffice for the initiation of a new and adequate financial policy. These, I am sure, are lying on the table of the Honourable the Finance Member, but nothing seems to have been done in the matter at all. I say. Sir, that the situation is indeed very serious and it is high time the Honourable the Finance Member make up his mind to deal with it in, a statesman like manner.

ON BUDGET: 3

Dr. B. R. Ambedkar (Bombay City): Mr. Speaker, Sir, this is the second financial statement which has been presented by my honourable friend the Finance Minister. It would therefore be natural to expect this Budget to be subjected to greater scrutiny and closer examination. Before stating what I think of this Budget, I cannot forget the fact that this budget has been commended by all those members of this House who have so far taken part in the discussion. The Honourable the Finance Minister must have felt a certain amount of satisfaction that his work has secured praise from all those who have spoken. But I must confess that I am very much surprised that this budget should have been really commended in the way in which it has been recommended by speakers who have preceded me. I have devoted a certain amount of time for the consideration of the financial statement which he has presented, and I have no hesitation in saying that this is not only the most paltriest budget that I have ever seen, but it is a hollow and insubstantial Budget. It discloses no vision of the future and no recognition of the problems with which this presidency is faced. This may appear somewhat extravagant, but I am presently going to substantiate what I am saying. There is, Sir, one item for which, perhaps, I may praise the Government, but that praise, unfortunately for my honourable friend, cannot go to him. It must go to the Honourable the Home Minister. I refer to item No. 45 in the new scheme. This item No. 45 is an item, which provides an additional expenditure of Rs. 36,217 for the augmentation of the police force. Sir, the relationship that existed between the members who are sitting on the other side and the police force before they took office and became part of the Government is a well known thing. I myself well remember having witnessed the scene of a number of people clad in white pursuing the police from place to place shouting " *Pili topi, hai, hai* ". That there should have been established this *camaraderi* between the police, who were at one time regarded as the instruments of tyranny and oppression upon the people, and the Congress party is certainly a matter, if one may say so, for congratulating the Honourable the Home Minister for demanding the money and the Honourable the Finance Minister for finding it. He certainly in my judgement needs the police force. He certainly needs their loyalty, for we all know now what he is engaged in doing with the police force, and we recently had an illustration of what use the police force is being made of. I refer to the firing that took place at Dharavi. I am sure that the present Government, which has, so far as I can see, shown very little sympathy for the advancement of the cause of labour, may have to indulge in greater use of the police force against the labouring classes. That the Congress

Ministry should have come out in its true colour is a matter of congratulation. But with that I must stop, because in the rest of the budget there is nothing for which Government can take any credit.

The first thing, Sir, to which I would like to draw the attention of this House is what I regard certain examples of financial impropriety. There are before me here—I have called out from the financial statement which the Honourable the Finance Minister has presented—some 5 items, namely, item No. 53 which provides 24 lakhs for education, item No. 46 which provides Rs. 25,000 for what is called voluntary police force, item No. 105 which provides 4 lakhs for village panchayats, item No. 100 which provides 1 lakh for labour amenities, and item No. 67 which provides Rs. 80,000 for what is called the training of Unani Hakims. Now, Sir, when one looks at the Blue Book which has been circulated, one notices an admission on the part of the Government that for none of these items which are included in the financial proposal is there any scheme in existence. All these heads on which this expenditure is intended to be incurred are still in incubation. They themselves do not know what are the purposes on which this money is to be spent. The second thing is that this House has not passed any of the legislative measures on which this expenditure is supposed to follow. Sir, this expenditure which practically asks for a blank cheque from this House with the fullest liberty for the members of the Government to spend it on anything they like so long as it falls under the main heads such as education, police etc. amounts altogether to 31 lakhs of rupees. Now, if one takes into consideration the fact that the total amount of the new items which have been added by the Honourable the Finance Minister to the existing budget comes to about 1.16 lakhs, one can very easily realise the amount of money which this Government proposes merely to lift from the hands of the House and spend in the way it wants to spend. Sir, I cannot help saying that this Government has been constantly encroaching upon the privileges of this House. My honourable friend the Home Minister is unfortunately not here and I regret it because I do want to refer to one or two things for which he principally is responsible. I have noticed ever since the Congress Government has taken office that the Honourable the Home Minister has insisted that this House has no right to pass upon any rules that the Government might make under any particular law that this House may have passed. Sir, I say that this is an encroachment upon the authority of this House. I say that there are rules and rules. There are rules, which merely carry out what is called the administrative policy. There are rules which are nothing else but a part of the law, and I claim and I insist that wherever a rule is a part of the law, then this House has not only the right to pass upon the original legislation but it has the right to pass upon the rule as well, and I do not understand how any executive

Government can appropriate this field to itself. But the Congress Government has. Time in and time out it encroached upon this privilege of the House. This lifting of money, this asking for a blank cheque is, I regard, another in-road and an encroachment upon the privileges of this House. Sir, I do not know what the situation now is but I was quite familiar with what is known as the Devolution Rules which were prepared under the old Government of India Act and I think my honourable friend the Finance Minister will bear me out that one section of the Devolution Rules included what is called the constitution of the Finance Department. It was one of the cardinal principles then recognised under the old Government of India Act that the Finance Department ought not to be a transferred department. The reason given was a very substantial reason for not treating the Finance Department as a transferred department. The Finance Department was intended to be the watchdog. The Finance Department was intended to scrutinise all expenditure that was put forth by any particular Minister in charge of any particular portfolio. It was intended that one of the principal functions of the Finance Department was not only to see whether the sum asked for any particular purpose was necessary and could be granted, having regard to the financial position of the province, but whether the grant asked was properly itemised.

I am sure that, although the old Government of India Act of 1919 has ceased and the Devolution Rules framed under that Act are probably no longer law, the principles enunciated in those Devolution Rules must be permanent, must be abiding for all time. Ever since finance came to be recognised as an important part of the machinery of control which the Legislature has forged over the Executive, it has always been accepted that no Minister shall place before the Legislature a demand for any lump sum without specifying the particular services, the particular items which are supposed to be included in that demand. The reason is two-fold. The House must know what are the details on which funds are being spent. Secondly, it is necessary for the Audit and Accounts Department to know how the money granted by the House has been spent. And I say, Sir, that it "is something which is quite inexcusable, that this Government should have had the courage—1 say, the audacity to come forward before this Legislature and merely say that they want Rs. 31 lakhs for spending on certain items, about the propriety of which the House has never decided and as to the details of which the Government itself has not made up its mind. I say it is audacity.

Now, coming to the budget itself, I do not propose to go into the details of the different items of which this budget is composed. That would take me too long; nor do I think the general discussion is the occasion on which one should go into the details of the expenditure. I propose to confine myself to the general

aspects of the budget, the broad problems with which we are faced and the ways and means adopted by the Finance Minister to deal with those problems. The first thing to note is that the new items which have been added in this budget to the frame-work of the administration as it exists now, come up to a total sum of Rs. 1,16,67,000. The question is, does this show a real expansion of our activities ? Now, Sir, I think we must make one deduction from this figure, and that is the deduction of Rs. 48,11,000. That part of the expenditure, as admitted by the Finance Minister, is non-recurring, that is to say, it is intended to' cover temporary items which are the needs of the day. They are not intended to provide permanently for such deficiencies of the social services, which it is the duty of the Government to make good. Therefore, deducting Rs. 48 lakhs out of a total of Rs. 1,16,00,000 you get a balance of Rs. 68,56,000 and therefore, I say that correctly estimated what the Government has come forward with as a permanent addition of expenditure for meeting the social services of this Province is not what is alleged to be this big sum of Rs. 1,16,00,000 but the sum of Rs. 68,56,000. From that you have also to make a further deduction in my judgement, and that further deduction is Rs. 31,45,000 due to prohibition. That is merely a negative thing. It adds nothing positively to meeting the needs of the Province. It is merely the foregoing of an amount of revenue, which was due to Government. Therefore, ultimately what one finds as the real budget providing for permanent expenditure is nothing more than Rs. 37,11,000. How this amount of Rs. 37,11,000 is distributed by the Government, many members of this House know. One conspicuous item is education, which takes up 29 lakhs; that is recurring. Minor irrigation is Rs. 3,50,000, which is also recurring. The rest is non-recurring; and the other items of expenditure are village panchayats, village open sites, water supply, medical relief, quinine, teaching of Ayurvedic medicine, and all that; they are all non-recurring; that is to say, they are merely intended as stopgaps for the year. Now, Sir, taking the budget in the way in which I submit, it ought to be taken, the question really that has to be asked is this: is this Government to be congratulated when, as a matter of fact, it comes before this House and demands nothing more than this paltry sum of Rs. 37,11,000? Sir, I have no hesitation in asking, having regard to the needs of this Province, having regard to the illiteracy, having regard to the poor health, having regard to malaria, having regard "to gonorrhoea and syphilis and the other diseases that are prevalent in this Province, whether it connotes a sense of responsibility, whether it connotes a sense of adequacy on the part of this Government to come forward with nothing more than a paltry budget of Rs. 37,11,000. I see my honourable friend the Minister is laughing. Of course he must laugh. What else can he do ? He can do nothing else (Laughter.) (An Honourable Member:

Should he cry?) I wish he did cry, and I would very much like to see him cry, because that would really show a certain amount of feeling and a certain amount of sympathy. A laugh carries us nowhere and is certainly not an argument.

Now, Sir, let me take another aspect of the question; it is this. Is there any chance of this expenditure provided for by the Government in this budget becoming permanent ? Is there any chance of the Rs. 29 lakhs which the Government proposes to spend on education being available for the next year or the year after that ? Is there any chance that the provision made by the Government for minor irrigation works and for many other things—is there any hope for us to feel that money for spending on all these items will be available to us next year or the year after ? Can we depend upon it that these will be permanent items ? Sir, I cannot give a positive answer. But it will be clear to all of us if we really ask one question, and it is this; how is this expenditure financed by the Government ? What are the means adopted by it for the purpose ?

I find that the Finance Minister, in making up his budget, has, in the first instance, depended upon a surplus of Rs. 10,50,000 from the current year's budget. Then he has drawn upon this year's balances to the extent of 63 lakhs; and thirdly, he hopes to have, by what he calls the additional yield from certain taxes, which are levied now, and a sum of Rs. 8 lakhs. These are the sources on which my honourable friend is depending for financing the new items, which he has provided in the budget. But, Sir, the question that I ask is this : are these sources, these ways and means that have been devised by my honourable friend the Finance Minister permanent and lasting ? Can they be depended upon to return from year to year ? Let us analyse the figures. First of all, the increase in the current year's revenue which has given him Rs. 10,50,000 is principally due to the fact that by good luck he has been able to get additional income from two sources, namely, excise and stamps. According to his own figures, these two sources of revenue have given him Rs. 21,52,000. Then, the Government of India gave him as part of income-tax return a revenue of 27 lakhs. Now, on his own principle, prohibition, or rather the excise revenue, is tainted money. His whole show, if one may say so, is a tainted show, based on tainted money. Let us not talk about the past; we are faced with the present; and there is no question about it that this excise money will not come to him again. Not only is he not collecting more but he is giving up what he has. Stamps, I do not think, will yield him much. He does not expect much from that, and, therefore, so far as recurring years are concerned, these two items which swelled his balance must now be dismissed from our consideration. Income tax may or may not come. That again is a contingent item. Therefore, all that one

can see now, so far as the future is concerned, is this. For the new items of expenditure which he has shown in the Budget, the basis in the form of real assets is nothing else but the paltry sum of 8 lakhs of rupees which he proposes to derive from remodelling the system of tobacco taxation which prevails in this Province. For this additional expenditure of 37 lakhs of rupees, all the revenue we have is 8 lakhs of rupees on which we can depend. Therefore, I feel I am justified in saying even this petty show which has been presented to us in the form of a budget of 37 lakhs may not come again next year.

Now, Sir, let us look at this Budget from another point of view. I ask this question: What are the liabilities, responsibilities, which the Congress Government propose to take upon its shoulders,? Let us realise what our total liabilities are. Sir, it is a small matter whether these liabilities are such that we can meet them tomorrow, day after, or whether it will take a long time for us to meet these liabilities. That is altogether a different question. It is quite important, I say quite essential and in fact fundamental, that all of us—those who are sitting on this side and those who are sitting on the other—should know once for all what we propose to undertake with respect to the welfare of the people of this Province, so far as the welfare of the people of this Province is concerned. Therefore, it is very necessary that we should take stock of what the ultimate position is going to be apart from the question how we meet and how soon we shall meet it. Now, Sir, it is quite clear that, traditionally taking things as they stand in this Province up to this day, Governments have undertaken, although they have never fulfilled, their responsibilities and duties which certainly cover such fields as education, public health, medical relief, and one may say, to a certain extent water supply. These are admittedly the functions of Government. Now, I am glad to say that the Congress Ministry, when it came in office on the 17th August 1937, issued a statement which is called a statement on the "Labour Policy of the Government." I would like to remind my honourable friend of that statement, because he has altogether taken no note of what Government have stated in the Press Communiqué. Referring to that statement, I find that Government have unequivocally accepted the fact that these are not the only duties which this Government would look upon as their obligations. The Congress Government have accepted that over and above these, what are called the essential services— education, public health, medical relief, and water supply—there are, by common standards now prevailing in all modern countries, other duties which Government must undertake. These duties, I find, are unemployment benefit, sickness insurance, old-age pensions, maternity benefits and premature death benefits to dependants. Therefore, we have got to start with this position that

my Government who claims to have the reins of office in its hands must look upon these duties as part of their functions. And the question, therefore, is what are going to be the total liabilities of Government, if Government were to decide upon discharging these obligations? As I said, it matters nothing, it does not solve the problem, whether we are in a position to do this today or not. It is quite essential, quite necessary, that we ought to know what our duties are and what is the liability in which we will be involved ultimately. Now, Sir, taking all these things into consideration, I would like, I would welcome, even at the closing of the debate, some kind of estimate from my honourable friend from his expert hand, to tell us what exactly would be the liability thrown on the revenues of this Province, if we are to undertake the discharge of those liabilities in their fullness. I have made some little calculation so far as I am able to do. My calculations cannot be exact. I have no information, I have no data, I have no expert assistance, but I have ventured to make some kind of estimate to find out exactly what would be the total financial liabilities of Government. Modestly speaking, the total liabilities of this Province will come to 24 crores of rupees. This is what a Government of this Province will have to bear in mind. I have no objection, which Government comes in. Even this Government may perpetually carry on the administration of this Province. I have no quarrel so long as that Government is conscious of what their obligations are. The question, therefore, we have to bear in mind is, how are you going to raise this sum of 24 crores ? It may be a little more or a little less ; somewhere about that figure will be the liability of the Government in this Province to undertake. Sir, I ask : Is it within the competence of this Government, any Government for that matter, to raise this sum ? Let us now turn to certain figures of revenue in other parts of the world and let us compare the position in other parts of the world with the position that we find in our own province. I have worked out some figures of per capita revenue in some countries. They are—

	£	s.	d.	
Canada	9	8	0	
South Australia	19	0	0	
New South Wales	13	0	0	
New Zealand	22	0	0	
Union of South Africa	4	0	0	This does not include the revenue collected by the Provincial Governments
Australia	12	0	0	
Irsih Free State	10	0	0	
Bombay	0	0	7	

Sir, this, I say, is a most staggering picture. It is a picture, it is a contrast, which is bound to make any Finance Minister who wants to take the

responsibility of bringing welfare to the mass of the people of this province, shake in his shoes.

Now, the other thing, which we have to notice with regard to the financial position in this province, is that our revenues have been absolutely stagnant. I am quoting the Finance Minister himself. In the last year's budget speech, he gave us a very useful set of figures comparing the increase of revenue in the different provinces of India between 1922 and 1935. The increases were:—

	Per cent.
Madras	26.7
The Punjab	28.6
The United Province	16.7
Assam	14.7
Bengal	11.9
Bombay	3

Even this 3 per cent has to be taken with a further deduction. This increase is found to be on the basis that you take into consideration all the additional taxation that was imposed from the year 1922. If you deduct all the additional taxes that were levied from 1922 to 1935, the revenues of the presidency of Bombay have decreased by 5 1/2 per cent. We, therefore, find ourselves in this position, that our revenues are not increasing at all; they are practically in a stagnant position. Now, add to that two new factors. The first is that this position is now going to be worse off by the prohibition policy which has been adopted by this Government. Secondly, we have to bear in mind that this Government has announced its policy of reducing the land revenue. Now, it is a fact that these two items of revenue together make up something like 7 crores of rupees. These 7 crores of rupees, having regard to the policy laid down by the Government, must now be regarded as the vanishing assets of the province. Therefore, the net revenue which you can calculate as a permanent basis for building up anything that could be permanent is only 5 crores of rupees. As against this, you have to set up, as I said, an ultimate liability of 24 crores of rupees.

Now, Sir, the question is : What are the ways of improving the financial resources of this province ? I am very sorry to say, but I must really say it, that looking at the financial statement and the budget speech which my honourable friend made, that this budget is a most retrograde budget. It is a budget, which shows that the Government has gone back on its plighted word. Sir, the last budget speech which the Honourable, the Finance Minister made, I do say—and I think praise must be given where it is due—did contain an element of boldness, an element of radicalism, which gladdened the hearts of those of us

who were sitting on this side of the House. I have compared the speech, which he delivered on the last occasion, with the speech, which he delivered the other day, and I noticed a very painful contrast between the two. Sir, last year; my honourable friend—at any rate judging from the speech which he delivered—gave me the impression that he was conscious of one of the most difficult and one of the most important problems with which we are all faced, namely, the problem of finding money. He was not only aware of the fact that, that was our one supreme problem, but he gave us the promise that he would tackle it in such a way that not only would there be greater resources available for the benefit of this province but that the burdens would be so equitably distributed that those who could not bear would be relieved and those who could would be taxed. I am going to read to him certain passages from the speech, which he delivered last year. In paragraph 14, this is what my learned friend—

An Honourable Member : " Honourable friend " .

Dr. B. R. Ambedkar: I am used to the High Court where we call our friends " learned ". This is what my honourable friend said :

"Lastly, we come to new taxation as a source of the much needed additional finance. In this connection, our first object is to make the necessary adjustments in the incidence of the existing taxes. Take the land tax first. Our ultimate object is to cease taxing the uneconomic holdings in which our land is at present divided. To begin with, however, we think it necessary to introduce a graded tax on the larger agricultural incomes. Through a process of the expropriation of the actual cultivator, a considerable portion of the lands has passed into the hands of non-cultivating, rent-receiving, absentee landlord. Are their incomes, large or small, to be treated in respect of immunity from or reduction of taxation in the same way as the actual cultivator of the soil ? Then there is a large class of income derived from alienated lands. These incomes are putting this province to an annual loss of nearly 70 lakhs of rupees. How are these incomes to be treated when we propose to tax the more well to do classes of our Khatodars ? The views of the honourable members on every side of this House on questions like these would be of immense use in the formulation of definite proposals by Government. Such resources as will become available by the adoption of policy of higher taxation on landed incomes which could bear the burdens should, we think, be largely utilised for making the burden of land tax easily bearable by the actual tillers of the soil and for making their lives better. Enquiries regarding the result of a graded tax on higher and equitably taxable agricultural incomes have already been set afoot. Similarly the other taxes from which we are at present deriving our revenues require to be carefully re-examined and readjusted both in reference to their incidence as well as in reference to their effects on public interests. We are

proceeding with this work as expeditiously as possible and Government have every hope that our definite conclusions could be announced to this House by the time the next budget is ready for submission to it.

" I hope that nothing that I have said this evening will countenance the belief that Government are not ready to propose new taxes for financing schemes of social utility. Such an impression would, I may say, be far from the truth. Although taxation in this province is very high, it is clear to us that most of this taxation is being borne by the poorer people in the province. The land tax, the excise tax, the stamps and court fees, the taxes on public conveyances, the tax on country grown tobacco—all these are being mostly paid by the poorer classes. The income tax is the only tax paid by the rich and that at present is beyond the reach of the Provincial Government. Between the poorer classes who pay most of the provincial taxes and the richer classes who pay the income tax to the Central Government, there is a considerable body of people who ought to bear a portion of the financial responsibilities of their province. The wealthier classes whose contribution to Provincial Revenues is inadequate must also come forward to take their proper share in them. Pledged in as we are by numerous restrictions, it is no easy task to devise taxes which will affect only the taxable untaxed. Though today I am not in a position to anticipate the decisions of the future, I may state that we are exploring the possibilities of many proposals with a view to submit to this House proposals which may provide the necessary funds for not only recouping ourselves from the loss which a policy of prohibition may involve but will also enable us to undertake some expansion, though not all the expansion, that we desire in the many fields of social service, social service in the widest sense of the term."

Then, Sir, he also made this observation:

" There is one other direction in which Government's activities must be extended for the purpose of augmenting its resources. There are many public utility services which are at present being utilised for the benefit of a few at the cost of the community as a whole. There is no reason why the State should nationalise these activities and appropriate the profits for the good of the community as a whole. The supply of electricity, for instance, to the public is carried on at present by private agencies under the protection which Government alone can give on behalf of the public. There is no valid reason why the profits of this public utility activity should not return to the pockets of the public as a whole through its accredited agency, the Government. Nothing has been hitherto done in this direction. Many other potential sources of income which could fairly be taken up by Government remain unutilised or are allowed to be exploited for the benefit of a few. There is a large field which we must explore, to which State activities could be extended, and Government will look

forward with confidence to activities of this nature as possible sources of public benefit."

Is there anything of this in the new Budget speech which my honourable friend has made ? He has eaten up his very words: there is not even a passing allusion to any of the statements which he made in the course of his last Budget speech. I ask him this question : Why has he eaten up his words ? Who has compelled him to do it ? (Honourable Members: " Vallabhbhai ! " " Shegaon ! "). There must be somebody behind I will not go into that. But I do want to say one thing, and I want to say it with all the sincerity that I possess. My honourable friend has been congratulated, I think, on the ground that there has been no new taxation. I for myself have the greatest condemnation for the Government for not coming forward with taxation. This Budget, therefore, I say, is a rich man's budget. It is not a poor man's budget. The poor man wants more and more. The rich man can afford to be independent of the Government. A rich man needs no school : he can keep a schoolmaster and give his son education up to B.A. or M.A. without sending him to school or college. A rich man needs no dispensary : he can call in a doctor, pay him Rs. 30 and get himself, his wife and his children examined if suffering from any disease. It is the poor man who wants Government to come to his succour; it is the poor man that needs more service. **No Government worthy of its name, no Government with any sincerity, can tell the poor classes that it cannot provide these amenities because it has not the courage to levy taxes.** The sooner such a Government abdicates the better for all.

The Honourable Mr. Morarji R. Desai: That is the rub.

Dr. B. R. Ambedkar: There is one other point to which I should like to refer. I do not know how many members of this House will agree with me in what I am saying, but I hold firmly to the view that the Governments in India, no matter what the province is, will never do any good if they confine their attention to what in European countries are merely called social services. I do maintain, and I state it emphatically, that one of the principal duties of this Government must be to tackle the problem of poverty. The Government must see that they do adopt ways and means whereby the national income of this province rises to some substantial level, whereby the majority of the people can live in amenities which rightly belong to all modern and civilised men. The system of social services which has so far prevailed in European countries, whereby the Government gives what are called doles or unemployment benefits, maternity benefits, and so on, presupposes one thing : it presupposes that a majority of the people are above want, are above the line of poverty, and that it is only those few who, either by the vagaries of the economic system or by any misfortune befalling them, fall below that line of poverty, that need, assistance

from the Government. It is, therefore, perfectly possible, perfectly justifiable, for European governments not to bother with problems of general economic uplift of the people as a whole. But the problems with which we are faced in this country are of a totally different character. I have no hesitation in saying and I do not suppose there is anybody in this House who would quarrel with me if I state it, that we are all a nation of beggars and coolies. That is the description which one can give of all this mass of people. Therefore, no Government worthy of its name can sit silent and not take account of this grave problem.

Now, Sir, having regard to the Budget proposals which we have before us, is there anything to indicate that this Government is aware of this problem, that it does take cognisance of it, that, after all, the one supreme aim must be to see that the national income of this country rises, that the national dividend rises? I do not see anything. There seems to be one idea which is prevalent all over and which I really want to examine at this stage. The view is held by all that a large part of the poverty of the agriculturists arises out of what is called the heavy burden of land revenue. Therefore the view is held—and I have no doubt that that is the view of the Finance Minister—that all that needs to be done in order that the people's income may increase would be to reduce that burden of land revenue. Now, Sir, I take the liberty of saying that nothing can be more fallacious than this view. That does not mean that I am opposed to the reduction of the land revenue: I am for it; I will insist upon it, because I say that this Government has really no right to take what are called the profits of agriculture, as distinguished from mere rent for the use of land. But let me examine for the moment the idea that seems to be prevailing and the idea on which this Government seems to be proceeding, namely, that all that need be done for the relief of the poverty of the general mass of people is to remit the land revenue, to reduce it. Sir, let us examine and see what relief can be afforded by this process. The total land revenue which we collect is about 3 1/2 crores and the total population of this Province is something like 2 crores, very nearly. Now, assuming for the sake of argument, and I am assuming it against myself, that this Government was generous enough and could afford to remit the whole of the land revenue, namely 3 1/2 crores, let us distribute this precious sum of 3 1/2 crores over the two crores of the population. Now, on a rough calculation I find that the total addition to the income of one individual, under these circumstances, would be 1 Rupee and eight annas. That is the highest. Converting it into a monthly allowance I find that the addition that would be made to the income of each man would be of 2 1/2 annas. Now, I like to ask whether anybody would seriously contend that an addition of 2 1/2 annas, which would be the result of the remission of the whole of the land revenue, would increase our economic welfare in such a way that the problem

of poverty would be abolished from our midst. Sir, the problem needs different remedies—altogether different remedies. I do not want to go into that now; I have probably wearied the House enough. But I do want to say that this is something which this Government does not seem to be aware of, and I do say that a Government which is not cognisant of this problem, a Government which has not the ways and the means of solving this problem, can bring no relief, can be a source of no happiness to the people of this Province; and, therefore, I will say, in conclusion, that this is a budget which is a most disappointing budget, a budget which is designed to relieve the rich and to starve the millions. (Applause.)

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ON BUDGET : 4

Dr. B. R. Ambedkar (Bombay City): Mr. Speaker, Sir, this is now the third Budget which the Honourable the Finance Minister has submitted to this House. I think it would not be an exaggeration to say that the first two Budgets which he submitted to this House were not of a very satisfactory character. And probably there were sufficient excuses for the unsatisfactory character of the first two Budgets. The first Budget that was submitted by him was, as a matter of fact, not his Budget; it was probably the Budget prepared by the interim Ministry and undoubtedly the Finance Minister could not be held responsible for whatever blemishes the first Budget contained. The second Budget had the excuse of having been made in a hurry, without Government's having had sufficient time to prepare their plans and to digest the whole thing. But I am sure none of these excuses or extenuations could apply to the present Budget which has been presented to us. It must be said that this is a Budget which has been prepared after mature consideration. It undoubtedly embodies in it the full plan which the Ministry has with regard to the taxation and with regard to the proposals of expenditure which, from their point of view, are matters of urgency. I think that this Budget, therefore, needs to be more specifically scrutinised.

Every one is aware that this Budget has been a Budget which has caused a great deal of agitation. Those who were expectant have been disappointed, and those who have been hit have called this Budget a revolutionary Budget. Speaking for myself, when I refer to the revenue side of the Budget as well as its expenditure side, my own view is that the proper description of this Budget would be that on the revenue side it is a reckless Budget and on the expenditure side it is a senseless Budget. This is, of course, no occasion to discuss the merits or demerits of the proposals which have been embodied in

the Finance Bill which is a part of this Budget; the detailed criticism of those proposals must wait till the Finance Bill is presented to this House for consideration. However, it would not be unwise to say, in a general way, what I think of the proposals of taxation which have been embodied by the Minister in the Finance Bill. There are six different proposals in the Finance Bill. First of all, the Bill proposes to continue for a year more, the additions made to the stamp duties and the court-fees sanctioned by the Bombay Finance Act II of 1932. Secondly, it increases the duty on the consumption of electricity. Thirdly, it increases the stamp duties in certain cities and urban areas on conveyances of immovable property. Fourthly, it levies a tax on leases of immovable property. Fifthly, it imposes a tax of 10 per cent. on the annual letting value of buildings in Bombay, Bombay Suburban District, and Ahmedabad City. And sixthly, it imposes a sales tax not exceeding 6 1/4 per cent. on three items, namely, motor spirit or lubricants, manufactured cloth, and silk yarn. As I said, I do not propose to go into the details of these proposals of taxation. All that I am going to do now is to offer, in a summary way, certain criticisms which occur to me on general principles.

Now with regard to the continuation of stamp and court fees, I would like to remind the Honourable the Finance Minister that this was a tax which, if my memory serves me aright, has always been objected to by Congressmen in the old Legislative Council. Sir, I do not remember a single Budget Session, when Congressmen did not turn the Budget Session into a kind of hardy annual between the Finance Members on the one hand and the Congressmen on the other. A tax which was fought tooth and nail every year and where Congressmen themselves were not prepared to give this tax a perpetual lease of life should have now been thought by Congress Ministers themselves as a tax which should be continued *ad infinitum*, year by year is, to say the least, a bit of the same policy which Congressmen have been following now that they have got office, namely, that the things which were then bad are now good, because they are run by Congressmen. Very many examples could be cited of that kind of turn of mind. We know Congressmen who use to fight tooth and nail because the Executive was not separated from the Judiciary. They thought that was a most oppressive system and we have now the same Congressmen supporting that that was the most ideal system. I will not say anything more than that, but I should certainly like to point out that this is certainly contrary to the declared faith of all Congressmen.

Coming to the duty on electricity, this is, to my mind, in principle, a bad tax. I am one of those who believe that the use of electricity ought to be encouraged more and more, because in the absence of electricity what people would do would be to bum kerosene oil which causes smoke which is injurious to health

and that ought to be stopped in the best way possible. The only way to discourage the consumption of kerosene oil would be to make electricity as cheap as one can possibly make it. And therefore my submission is that, on general principles, this is a bad duty. My second comment on this part of the taxation proposal is that it is a tax which is badly distributed. One of the most extraordinary things that one notices about this electricity tax is that there is no increase in the tax on the energy used by cinemas and theatres. Sir, I should have thought that if there was any person or any individual tax, it was certainly the cinema and the theatre. Because, if a tax was levied on the cinema or on the theatre it would certainly be passed on, if not borne by the consumer, upon the persons who go to the theatres and to the cinemas. That would be taxation on luxuries and I am sure, although, I cannot be absolutely accurate, that instead of spreading the tax as the Honourable the Finance Minister has done upon householders, if he had increased the rate upon cinema and on theatre he would have got all the revenue that he intended to get out of this duty. But as I said it is an extraordinary thing that the party which has got the broadest back to bear this is exempt, and what is done ? What is done is this: that those persons who were hitherto consuming less than 12 units are now taxed, and those who consume more than 12 units, their taxation is increased from 9 pies to 15 pies. Sir, I do not understand the equity of the distribution of this taxation measure. Why is it that people who were hitherto exempt because they consumed less than 12 units are now taxed? Why is it that those who bore only 9 pies (5 Nps.) are now made to pay 15 pies (8 Nps.), while the theatres and the cinemas are exempted from the operation of this measure ?

With regard to the third item of taxation which is. Stamp Duty on Conveyances, the increase, to my mind, is quite unjustified. In Bombay City, the Honourable the Finance Minister proposes to increase the tax from 3 1/2 per cent. to 4 per cent, which is an increase of 20 per cent. on the present basis. In Poona and Ahmedabad he proposes a tax from 2 1/2 per cent. to 3 per cent, which is also an increase of 20 per cent. In other towns, which are to be notified by the Government, the tax is to be raised from 1 1/2 per cent. to 3 per cent., which is an, increase of 50 per cent., and in the rest of the towns it is to be raised from 1 1/2 per cent. to 2, which is 33 1/3 per cent. Reading the Honourable Minister's Statement of Objects and Reasons which is attached to the Finance Bill, I do not find any explanation as to the justification for the increase of this taxation. All that the Honourable Minister chooses to say is this : that it is considered desirable that the stamp duty for conveyances should be higher in urban areas than in rural areas. Why is it desirable, why the urban areas are more sinful that they should be made to pay more than what they have been paying so far, we have had no answer from the Honourable Minister

at all. It is a simple arbitrary act saying that the tax shall be increased without any rhyme or reason.

Then we come to the fifth proposal, that is the property tax. This of course, is the crux of the whole taxing proposal. Now this proposal, to my mind, is objectionable from the various points of view. My honourable friend Mr. Jamnadas Mehta has already pointed out one of the objections to this measure, and that objection is this : that this Government is now encroaching upon a basis of taxation which has hitherto been left for the Municipal governments. The Bombay City Municipality derives a large part of its revenue from taxation on property. Not only the Bombay Municipality derives its revenue from property tax, but similarly all the City Municipalities are allowed to levy a tax upon property. Sir, this competition by Government into a field of taxation which is reserved for municipal bodies, I am sure, will prove greatly detrimental to the growth of local self-government. I will not say anything more on that point. But I will refer to certain other aspects of the proposal and the first aspect is this. The tenants of the Bombay City have been carrying on an agitation that the rents in the City of Bombay are abnormal and that they should be reduced. Now, Sir, if the Government as it is going to do by this measure of taxation, is going to take away 10 per cent. of the value of the property, it should not in the same breath say to the landlord that he shall also reduce the rent of the tenants who have been agitating against the present high pitch of rent. Therefore, what the Government is doing is really nothing more than defrauding the tenants of the Bombay City and similarly of Ahmedabad and Poona by taking away from them what was legitimately their due; and I think that is certainly one of the most serious objections that can be urged to this measure.

Secondly, this property which is to be the subject-matter of taxation under the Government proposal cannot be said to be property which is not subject to taxation now nor can it be said that this is a property which has been lightly taxed and, therefore, can still bear a higher taxation. Let me take the case of Bombay City itself.

The Honourable the Speaker: I am afraid there is a misunderstanding ; Poona is not included in this taxation proposal.

Dr. B. R. Ambedkar: I am sorry—only Bombay and Ahmedabad. Now, with regard to the position in Bombay, what one finds is this. The Bombay Municipality levies on the whole 18 1/2 per cent. on the rateable value of the property for its own use. In addition to that, the owner of the House has to pay, what is called, ground rent if the property is a leasehold property. In addition to that, he has to pay income tax to the Government of India on the income which he derives from the total rental of his property. Taken all together. I think all this burden would certainly come to about 22 to 23 per cent. (An Honourable

Member : 50 per cent.). Well my honourable friend says it would come to 50 per cent.; he will probably explain it later on. What I point out is this that it cannot be said that this property is a lightly taxed property; it is a property which is already heavily taxed and, therefore, it will be very unjust to impose upon it a further burden of 10 per cent.

The next thing that I should like to point out to the Honourable the Finance Minister is this. He seems to treat this tax as though it was just a rate and not a tax. Well, I have a quarrel with him on that point what he is levying is not a rate but it is a tax. The difference between a rate and a tax is this. A rate is something for which you get specific service. We pay rates to the municipality because in return for what we pay to the municipality we get direct *service*—we get water, we get conservancy, we get lighting, we get various other services. It is really a charge for the services rendered, but in the case of what the Honourable Minister is doing there are no services. Therefore, it is a tax. And, I say, although the Minister chooses to call it a tax on property, it is a tax on income, because I do like to tell him that nowhere things pay anything. In all ultimate analysis, it is the man who pays; things do not pay. If men pay, they pay out of their income. Therefore, it is an income tax. Now, I would like to ask the Honourable Minister why the equitable principles which are always recognised to be the part of a general scheme of income tax are not made the part of this tax ? Two things might be mentioned. One thing that needs to be mentioned is this that every scheme of income tax has in it a basis of exemption. Below a certain minimum you do not tax. In the present day income tax, the minimum, I think, is about Rs. 2,000. If this is an income tax, and I insist and say that it is an income tax, and nothing else, why is it that there is no exemption ? It is no use lumping all landlords together. I live in Hindu Colony; there are many people who have drawn their gratuities from Government, there are many people who have received certain accumulations of provident fund. These people have built small houses. In a part of the house they live and in the remaining part of the house they have tenants. These people pay ground rent; they pay municipal taxes. Is there no consideration for them ? Then, there are several people who have invested lakhs and lakhs of rupees' in buildings and who are doing nothing else but living on the income derived from these properties. I say there is a distinction and a distinction ought to be made between a landlord of one type and a landlord of another type. Why is that distinction not made here?

Take another consideration. A number of these properties—1 do not know how many but a great number of them—are certainly properties which belong to charitable organisations. Take for instance the Bombay City. Here, we have the Social Service League, the Servants of India Society and there are many

other organisations which can be mentioned which are catering out of the income that they get for rendering assistance to poor widows, to orphan children, to people who have had no education and giving them medical aid. I cannot understand why a Government like this which has repudiated its responsibility—I am going to tell that later on— with regard to all social services and has thrown the burden upon the public to provide for such services out of charity, should not show any exemption for charitable organisations. Even the Income-tax Act, section 4, says that income derived from charities shall not be subject to taxation. I do not understand why none of these considerations have prevailed with the Honourable Minister for Finance, I am sure he will have something to say when we consider the Bill itself.

Coming to the Sales Tax, personally I do not like it. I know there are people who believe that it is a good tax and that it may be levied. I have a different opinion about it. To my mind, it certainly smacks of what we in India used to have imposed upon the Indian mills, and what was called the excise duty on cotton manufactures, from the year 1894. It cannot be anything else except that. If it is shifted by the manufacturer or by the salesman, it is certainly going to affect the consumer; it is certainly going to affect his standard of living. If it is not shifted, if it is borne by the manufacturer himself, then it is going to affect the industry on which it is placed. In either case, it is not a very satisfactory piece of taxation.

Now, Sir, I am one of those who have always held the view that good things of life do not fall from heaven like Mannat ; they have never done so anywhere. In fact, if you want the good things of life, you have got to pay for them. Unless you pay for them, you cannot get them. I am therefore, one of those who cannot have any conscientious objection to taxation, because I am certainly one of those who believe in having the good things of life and also believe in having to pay for them. The question, therefore, that we have to consider is this : What is all this taxation for ? What is the purpose ? What good the Government proposes to do by levying this taxation ? It is necessary to remember that the total revenue which the Finance Minister is proposing to raise by his scheme of taxation is 169 lakhs of rupees. Now, Sir, turning to the budget, one must first ask, what are the new items of expenditure which this budget includes ? Now, I have excluded from the budget certain items of expenditure, which merely refer to administrative departments and do not result in direct benefit to what may be called the social welfare of the people. I have picked up from the budget such items of new expenditure which in my judgement may be said to be items which affect the public welfare of the people. I find that for irrigation the budget provides 7 1/2 lakhs. For education it provides 16 1/2 lakhs. Out of the 16 1/2 lakhs, 5 lakhs are provided for the

expansion of primary education, 5 lakhs are provided for buildings and 1.81 lakhs are provided for the introduction of what are called basic crafts. Then under public health there is nothing to report except an item of 5 lakhs for village water supply; for agriculture there is nothing; for co-operation there are 7 lakhs ; for rural development which of course means nothing more than the employment of 7,000 itinerant men who would be wandering all over the presidency carrying on some kind of propaganda which the Honourable Ministers think is going to be helpful to the people.

Secondly, there is a provision for 2 lakhs for debt redemption. One thing I would like to point out is this : apart from the question whether the expenditure that is provided for in the budget is adequate having regard to the needs of the province, the one thing that this House should realise is this that new taxation is not at all necessary for the new expenditure. As the Honourable the Finance Minister himself has said in his budget speech, out of a total taxation of 169 lakhs, only 44 lakhs are supposed to be necessary for two schemes, namely, one for expansion of rural education and one for economic rural development. The rest, practically 125 lakhs, are not wanted for the new expenditure that the Ministry has in contemplation 125 lakhs is wanted by the Ministry for no other purpose than to wipe out a deficit arising from what they call their Prohibition Policy and therefore, the question that arises for consideration is a simple question. The issue is absolutely narrowed down and that issue is this: is drink a problem and if drink is a problem, is it an urgent problem ? Unless this House is prepared to give an affirmative answer to both these questions, there will be no justification for voting taxation which has been proposed by the Finance Minister. Sir, let us make no mistake in analysing the position. There is no question that drinking is an evil and it does have very bad consequences, but to admit that drink is an evil is not to admit that drink is a problem; much less is it an admission that it is an urgent problem.

Now, Sir, let us look at the position in a comparative way. What is the position in the Bombay Presidency ? We need not bother ourselves with the rest of India at all for the moment because we are dealing with the budget of the Bombay Ministry. What is the position in the Bombay Presidency and what is the position in other countries so far as the drink question is concerned ? First of all, let me give some figures with regard to the total excise revenue that is derived in various countries because the revenue of a country from excise is some indication as to the magnitude of the problem which a country has to face. Now, I have taken these figures from the Blue Book issued by the League of Nations and the figures refer to 1931. Beginning with Great Britain the population is 44,937,444 and the excise revenue is 1,504,895,000. In Austria—which is now no more but still it was in 1937—the population is 6,760,233 and

the total revenue derived from excise was 15.96 lacks and odd. In Canada the population is 1 crore while the excise revenue derived is 57,19 lakhs. The Irish Free State has a total population of 2,965,854 while the total revenue derived from excise is 665 lakhs. Then take Denmark. Its total population is 37 lakhs while the excise revenue derived is 5,34,80,000. France has a total population of 419 lakhs and odd while the total revenue derived from excise is 207,079,650. Take now the figures for Norway. Norway has a total population of 2,814,194 and its total revenue derived from excise is—it is a country where there is local option 1,66,72,600. Now, Sir, in the light of this compare the figures of our presidency. The Bombay Presidency has a population of 180 lakhs. The total revenue from excise is 325 lakhs. Can any one say that this consumption of liquor in the Bombay Presidency can be said to create a problem which the State must undertake immediately to meet ? A man who said " Yes " and gave an affirmative answer would certainly be a man who has lost all his bearings. (Laughter) Take another test. Take the consumption of liquor and I take these figures from the report submitted by the Government of Bombay itself. What is the total amount of liquor that the people consume ? Now, the Blue Book or the Administration Report issued by the Government of Bombay say that the average consumption for the whole presidency works out at the rate of 3 drams per head. I am told that it is less than an ounce, in fact 1/4 of an ounce, and my honourable friends opposite call this a problem. In rural area consumption is 1.8 of a dram, and taking town's together, it is 8.2 drams not even an ounce. Take again the revenue basis of the Bombay Presidency, and I am taking here now the largest item of consumption, namely, the country spirit, which of course figures the largest in our excise. What is the revenue that this Presidency derives from country spirit? The report says that the total amount derived from country spirit is Rs. 1,54,43,750. That is the total for the whole Presidency. Now let us distribute this between the urban area and the rural area. According to the Administration Report, there are 33 towns in the Bombay Presidency. These 33 towns together total up in point of population about 29,00,000 of people. How much revenue is derived from these 33 towns from country liquor ? The revenue that is derived is fully a crore of rupees from these 33 towns. That means that the balance of the population, which does not live in the towns but lives in the villages and that is according to my calculation 1,52,00,000—consumes not more than 54 lakhs worth of country spirit. Working that out per head, it means that every individual consumes no more liquor than worth 5 annas (31 Nps.) in a year. Let me analyse the total figures in the towns a little further. In the towns, as I said, 29,00,000 of people consume liquor worth one crore of rupees. Is that correct ? We all know that women in this country do not drink, and even the most habitual drunkard would not

tolerate his wife sipping even a dram. Also children do not drink. Therefore, making an allowance for women and children, I think we would be justified in deducting about 75 per cent. of the population of the towns as a nondrinking population. If you deduct that, then it comes to this, that about 10,00,000 of people are the people who are affected by what is called the drink evil. Sir, with these figures before me I claim to say that with these figures before him nobody who is a fair minded person would be able to say that drink is such a problem in this country that it ought to be tackled forthwith.

Now, Sir, I know there are people who have the United States of America as their model, and who think that because the United States has carried out the policy of prohibition by amending the constitution of the United States in 1919, this country ought to follow that lead. But, Sir, it is necessary for us, before we run amok, if I may say so, to consider what the position was in the United States. I have here some figures of the problem as it existed, the magnitude on which it existed in the United States before the constitution was amended in 1919. What was the total consumption of liquor in the United States ? According to the Book "Prohibition" by Fieldname, the position was this. Between 1910 and 1914 the total per capita consumption of distilled spirits, wines and beer in gallons was 22.43 per individual; between 1905 and 1910 it was 21, between 1900 and 1904 it was 18.77. It will be seen that the consumption per capita was rapidly growing. Between 1900 and 1901 it was 18, between 1905 and 1909 it was 19.46 and between 1910 and 1914 it was 22.43. Surely, our conditions cannot be said to be in any way comparable with the position in the United States.

Take again another indication. Can we say that there is in this country such a thing as alcoholism ? Can we say that there are people here who have died of sheer alcoholism, people who have died of liver trouble on account of the fact that they have been taking alcohol excessively ? I have gone through the figures published in Public Health Reports of this Province and I have also searched the figures published by the Commissioner of Health appointed by the Government of India, and I want to say that neither have thought it necessary even to notice such a thing. The reason why they do not notice deaths from alcoholism or from liver trouble is because such a thing does not exist in India at all. On the other hand, see what has happened in the United States. In the United States, in 1917, 5 people out of 1,000 died of sheer alcoholism ; in 1916, 5.8 ; in 1915, 5.2 ; in 1914, 4.9; in 1913, 5.10. Take again another indication namely, deaths due to what is called cirrhosis of the liver. In 1917, 11 persons out of 1,000; in 1916, 12; in 1915, 12.6; in 1914, 13 ; in 1913, 13.4. Such a phenomenon, I submit, does not exist in our part of the country at all. Therefore, my contention is that it is wrong on the part of the Ministry to say

that this is a problem which we ought to deal with. My contention is that this really cannot be a problem in our part of the country, and for two very good reasons. One good reason is that all religions in India agree in imposing an injunction upon the people, that drink is a sin. Religion may have done many mischievous things, but certainly there can be no doubt that the one good thing that the Indian religions have done, both Hindu and Mohammedan and the Zoroastrian religion, is that they do impose such an injunction, which has been so strictly obeyed by a large part of our people.

The second distinguishing feature which marks out our country from other countries, and which cannot create a problem so far as drink is concerned is just this, that the drink traffic is in the hands of the Government. It is not in the hands of private profiteers as it is in the case of America or as it is in the case of other European countries. The Government is a responsible body, is subject to public opinion, is subject to the opinion of this House, and therefore can never do the mischief which a private profiteer can do. As I said, looking at it from every point of view, I refuse to admit that it is a problem which needs to be tackled.

Then, Sir, the next question that I want to ask is this. Is this such an urgent problem that we must keep aside everything and deal with it first ? In order to answer that question, it is necessary to bear in mind what the different needs are of the people of this Province. Are the other needs fully satisfied ? Are they tolerably satisfied, so that because they are tolerably satisfied we ought to keep them aside for the moment and tackle this one and only question ? Let me take a few illustrations. First of all take the question of education. With regard to adult education, the position in this Province is this. So far as males are concerned, only 14.3 per cent. of the male population is literate. So far as the female population is concerned, only 2.4 per cent. of the female population is literate. That means that practically 86 per cent. of the male population and 98 per cent. of the female population needs still to be taught the rudiments of education, so that they may carry on the activities of their life without falling a prey to the machinations of other classes. We have had a committee appointed by the Government to report upon this matter. That committee has made its report. But I do not find any provision made in the present budget to carry out the proposals made by that committee. Take children's education. What is the position in this Province ? In this Province, one thing which is absolutely undeniable is this, that this Government have repudiated their responsibility in regard to college education. I think there can be no doubt on the point. This Government do not regard giving higher education to the boys of this Province any business of theirs. That has been left by Government to private agencies. With regard to secondary education, the matter is more or less on the same

footing. Government do not take responsibility on their shoulders but they supplement the monies collected by private agencies by small grants from public treasury. Therefore, we are really under a very limited field of activity so far as education is concerned. Then, primary education. What have Government done with regard to primary education ? From the figures that I have been able to collect yesterday, I find the present position is this. The Primary Education Act applies to children who are between 6 and 11 years of age. The total number of children between 6 and 11 is 2,479,000. Of these children, I think 754,000 are in schools; and the rest of them are not in schools. This proportion works out in this way. Out of every three children, one is in school and two are still outside school. Examine the question from another point of view, from the point of view of facilities provided by Government for primary education. According to Government figures, there are in the towns of this Province, 184 primary schools. This is with regard to towns. What is the position with regard to villages ? The total number of villages in this Province is 21,484. Out of those only 8,599 villages have got schools ; and 12,885 villages have no schools at all. That is the position. Government do not even care to provide facilities for them, apart from the question of carrying out the provisions of the Primary Education Act. Now, Sir, one curious thing which strikes me at any rate, and I do not know whether it strikes the Honourable Finance Minister, is what would be the cost of making primary education compulsory. According to the figures worked out by the Primary Education Committee, what Bombay Government need to make primary education compulsory is 1.30 lakhs. Now, Sir, that is just the amount the Honourable the Finance Minister is raising by his taxation proposals. Apart from the question whether the taxation proposals are good or not, confining my attention to the question as to the best method, the proper purpose for which this money ought to be spent, the question that I should like to ask of the Honourable the Finance Minister is this. You are raising practically 1,30 lakhs of rupees; is it necessary that you should spend this money on improving the lot of a drunkard or should you spend this money on educating children who do not get education ? What is the choice that you make ? That is really the whole question. Is the education of children more important ? Is the education practically of 17 to 18 lakhs of children less important than the lot of 10 lakhs of city people who choose to drink ? Sir, I do not believe in it. I am a teetotaler and I wish everybody was. But the problem is really this. If you give me an educated man who is also a sober man. I welcome him. But, if you tell me to take sober man who is a fool, who is a dud, who does not understand anything, I for myself would prefer a man who drinks but who knows something. That is my position, I think that is the position which ought to be considered by the Honourable the Finance Minister when distributing this

colossal taxation which he is levying on the Province.

Take another alternative thing. I refer to public health. The total expenditure this Province incurs on public health is a paltry sum of Rs. 31,48,000. It works out at the rate of 2 1/2 per cent. on our total expenditure. Now, Sir, village water supply is a crying need; there are hundreds of villages which have no water supply at all. Any one who goes to the villages will mark that every village in this Province is nothing else but a dung heap. It is a misnomer to call it a village, it is a misnomer to call it a place fit for human habitation. The improvement of the insanitary condition and the abomination that exist in villages is certainly the crying need of our Province. Hundreds of people are dying from malaria, are dying from all sorts' of diseases. There are hardly any dispensaries. There is hardly any provision made for distribution of medicine or medical treatment. There is no water supply, as I said. Last year, a provision of 10 lakhs was made. We do not know how that money has been spent. This year, I find there is some provision made, about Rs. 8,55,000. What is all this having regard to the enormity of the want ? Hundreds of people are dying by reason of the fact that there is no medical aid, no clear water to drink. The Finance Minister has chosen to spend this money in saving the souls to use a biblical expression—in curing the souls or in being the curate of 10 lakhs of drunkards in Bombay and Ahmedabad.

Then, Sir, take another point. The same point has been made, that we are taxing the city dwellers, we are taxing the urban population. Why are we taxing the urban population ? The reason why we are taxing the urban population is because we want to improve the amenities of the village folk. Is there anything of the kind done in this budget ? If the Honourable Minister was really doing the thing for which some friends of mine have given so much care and attention, I shall be very glad. On whom is it spent, this tax of 1,69 lakhs ? He spends on the drunkard who lives in the town. The poor man in the village does not get any benefit out of it. Take for instance, one single item, namely, the land tax. The total of the land tax in this province is Rs. 3,38,63,000. Ten lakhs were remitted last year.

This of course is not a permanent reduction. It is indicated in the budget that there will be a total permanent reduction of something like 40 lakhs. That means that the rural population will still have to bear 3 crores of land revenue. The question I would ask the Finance Minister is this : if he is raising this tax of 1,69 lakhs from the city dwellers, why is he not wiping out the land revenue altogether ? Personally, I would be very glad indeed; I will withdraw all my opposition to these taxation measures if he spends all this money on wiping out the land revenue. Is he doing that ? Why is he not doing that ?

Now, Sir, there are just one or two points which I should like to touch upon. In

this budget, the Honourable the Finance Minister seems to take credit for two things. One is, that after all he is levying all these taxes from the urban areas. The second is, that taking things by their total, there is no additional burden imposed, because what is levied by way of a new tax is remitted by prohibition and, therefore, on the total the sums are equal. Now, with regard to the first question, I should like to draw attention to some important figures. It has been my view, and that view is confirmed by such study as I have been able to make of the conditions of this province, that, so far as our province is concerned, agriculture is the most congested occupation. I am going to cite a few figures in support of that proposition. The first thing to be noticed is that Bombay is a small province in point of area. The total area of this province is 76,735 square miles; which is really just one-half of the Madras Presidency, two-third of the Punjab, of the United Provinces and of the Central Provinces, and just a little less than Bihar and Orissa. Now, bearing this in mind, compare the area that is actually sown for purposes of cultivation, for raising food-crops. In Bombay, the total area that is sown is 32,801,971 acres. Now, as I said, although our province is small in area, the area actually sown in our province is just the same as that in Madras, a province which is twice as big as Bombay, and that in the United Provinces. It exceeds the areas sown in Bihar and Orissa and in the Central Provinces by about 8 million acres, and what is sown in the Punjab by about 6 million acres. My contention is that that shows that agriculture is the most congested industry in this presidency, that almost every inch of area which can be Utilised has already been utilised, and that, therefore, there is no use driving people to agriculture. Take again a further comparison, that of the cultivable waste lands. In the United Provinces the cultivable waste land is 10 million acres; in Madras, 13 million acres; in the Central Provinces, 14 million acres; in the Punjab, 14 million acres; and in Bombay it is only 6 million acres. Sir, that being the position, the view I take is—and I say this with full deliberation—that the salvation of this province and, if I may say so, the salvation of the whole of India lies in greater urbanisation: in reviving our towns, in building our industries, in removing as much population as we possibly can from our villages to the towns. What is there in villages? After all, our village folks have no capital to run their agriculture in the best way in which agriculture ought to be run. Population is increasing every decade, and land is being fragmented every time a man and heirs come on the spot. Everywhere the situation is as bad as one could conceive it. The only way by which you can increase the standard of living of the people in the villages is not to give them an antiquated machine like the charkha or to force them to weave cloth which they cannot sell in a competitive market. The way to increase the standard of living is not to destroy industries and other revenues of service in the towns and

force them to go to villages. The way lies in the other direction, namely, in taking away as many people as you possibly can from the villages and bringing them to the towns, giving them employment in industries and establishing better ways of economic life. That is the way. Sir, I have no hesitation in saying that a man who is bent upon breaking up such little industry, such little urbanisation, as we possess is certainly no friend of the people ; if I may say so, I look upon him as an enemy of the people.

Now, as regards the second point. My honourable friend says : "After all, what am I doing ? Am I adding anything to the total ? No. I am raising Rs. 1,69 lakhs, but I am also giving up 1,25 lakhs of the drink revenue and 40 lakhs of land revenue." I do not know whether he is serious in taking credit for this. If he is, I would remind him of the potter who was given a certain amount of potter's clay. Sir, if the potter instead of making a Ganapati made a monkey out of that clay, or instead of making a good elephant out of it made a donkey, would you say that the potter was a good potter, because he did not use more clay ? I wonder what would be the answer. This is nothing else but making a monkey out of the thing ; nothing else but that. Therefore, Sir, in my judgement, as I said at the opening of my speech, this budget so far as taxation is concerned, is a reckless thing, and so far as expenditure is concerned, is a senseless thing. Sir, we all ought to realise that this presidency is the most highly taxed presidency. The per capita taxation in the provinces of British India is—these are not my figures; they are figures that I have taken from the speech my honourable friend the Finance Minister delivered last year:—

	Rs.
Bihar and Orissa	1.29
Bengal	1.78
Assam	2.26
Central Provinces	2.72
United Provinces	2.29
Punjab	4.43
Madras	3.26
Sind	4.90
Bombay	6.00

This alone will show that we are a very heavily taxed people. As a matter of fact, our expenditure also is so regulated that we have really very little to spend. We have really, as a matter of fact, very little margin *for* the purposes of our expenditure. Practically the cost of collection in this Province makes up 15 per cent. of our revenue; Superannuation is 10 per cent. ; Interest takes away 10

1/2 per cent; Law and Order including Justice, Police and Jails takes away 18 per cent of our revenue; and what little remains is spent on the other subjects which may be said to be subjects of public welfare. This is the position. In fact, it is a very tight corner : so far as the revenue is concerned, our capacity is less, and so far as our appropriations are concerned, many items are such that they really do not give us anything by way of public welfare. In a situation like this, I think it was but necessary that the Honourable Minister for Finance ought to have been more cautious than he has been. I am sorry to say that he has not. (Applause.)

5

ON THE FINANCE ACT AMENDMENT BILL

Dr. B. R. Ambedkar (Bombay City): Mr. Speaker, Sir, having applied my mind to the Bill which has been moved by the Honourable the Finance Minister, I find that the Bill seeks to make three provisions. The first provision which the Bill seeks to make is to make the property tax a first charge ; the second provision is with regard to the penalty in respect of the non-payment of the tax and the third is the retrospective character sought to be given to the penalty clause in this Bill. At the outset, I am glad to say that I find an occasion to congratulate the Honourable the Finance Minister on the declaration that he made in the course of his speech to which we have now listened, namely, that he would be prepared to accept an amendment in order to take away the retrospective character of the penalty. So far so good. With all that, it is not possible for me to pass from this point to other points in the Bill without expressing my sense of surprise that a Government which includes in it no less than five eminent lawyers should have thought it fit at the outset to bring in a Bill with a penalty which has got a retrospective character. I think it is a shocking thing. It should never have been brought in that form. However, dropping the matter aside, the two other provisions in the Bill which now call for attention are the two remaining ones, namely, whether the property tax should be made the first charge and whether there should be any penalty with regard to its non-payment.

I will take the second point first with regard to the question of penalty. I think it would be desirable if I draw the attention of the House to one or two points connected with that aspect of the Bill. My learned friend would have noticed—he perhaps has not paid sufficient attention to it—that the Municipal Act itself makes no provision for imposing any penalty for non-payment of the municipal part of the property tax. Section 200 of the City of Bombay Municipal Act provides that as soon as assessment is made, a bill shall be presented to the

occupier who has to pay up the tax. Then section 202 provides that such a bill shall be met within 15 days from presentation. Then section 203 provides that if the bill is not paid within 15 days from the date of presentation, it shall be followed up with what is technically called notice of demand. Then section 203 says that if the amount due and mentioned in that notice of demand is not paid within 15 days, the municipality shall have certain rights for the recovery of the amount due. Now, under the Municipal Act, there are only two provisions included in it in order to enable the municipality to recover the amount of property tax from the person who has defaulted. The first step is to levy a distress upon the property of the defaulter. The second method permitted to the municipality is to file a regular suit in the ordinary way. But, so far as penalty is concerned, there is none whatever in the Municipal Act itself. Then, coming to other financial measures I proceed to mention the provision in the Income Tax Act. My honourable friend must have noticed that there is a certain kind of penalty provided under the Income Tax Act that might be levied on the persons who are defaulters. That is done under section 45 of that Act. That is a big section and I do not want to go into it. I can mention the gist of it by saying that the scheme included under section 45 for the purpose for a continuing default. That is to say, if you make a default for one day, you will have to pay a certain penalty, if you default for two days then a further amount of penalty. That is penalty in a progressive manner. The maximum of penalty mentioned here is the amount of the tax itself. The provision contained here is not a continuing penalty for a continuing default. Then, I come to the Bombay Land Revenue Code. The penalty is mentioned in section 148. There, the provision is merely this. If there is a person who is a defaulter in the sense that he has not paid his instalment within the period fixed, then the Collector shall either levy a penalty, or interest on the amount due. According to the rules, there is one authorising Government to make a rule in that behalf. Having gone through the rules made by the Government of Bombay under the Land Revenue Code, I find that the Government have made no rules at all with regard to the levy of penalty or with regard to the charging of interest. There is a casual mention in the notice of demand itself which fixes the penalty at a maximum of one-fourth the amount due. Now, Sir, I readily admit that the principle of penalty is new but it is something which undoubtedly exists in many financial provisions. Now, the questions we have to consider are with regard to the manner in which it is prescribed and the amount of maximum penalty that is laid down.

With regard to the other provisions of the Bill, the Honourable Minister has told us that they were merely consequential. Speaking for myself, I should have thought that they are the most contentious part of the Bill. If there is any provision in this Bill which makes me oppose it, it is really section 24B which my

honourable friend seeks to introduce. First of all, let me deal with the arguments that this is merely consequential. Is it consequential or is it making the most radical, or if I may say so, revolutionary—

The Honourable Mr. A. B. Latthe: I never said that it was consequential—

Dr. B. R. Ambedkar: I withdraw—

The Honourable Mr. A. B. Latthe: I said that it was for making the provision clear.

Dr. B. R. Ambedkar: By trying to make the position clear, I have no doubt my Honourable friend the Minister has placed the Municipal Corporation of Bombay City in the issue. What is the position at which we are now ? The position seems to be this, whether the amount due to the Bombay Municipal Corporation in respect of the urban property tax should be the first charge or not. You will recall one point of attack levelled against the Bill when it was first discussed in February was this, that the Government by taking the urban property as a basis for provincial taxation was really invading the domain which by tradition and by common consent had been reserved for the municipality for taxation. One of the points of criticism which was given expression to by many members on his side, and particularly by my honourable friend Mr. Jamnadas Mehta, was this, that by trespassing into the domain of their taxation Government had crippled the municipality. That is one point of criticism. Another point of criticism against this Bill was that it was very wrong on the part of this Government to use the Bombay Municipality as an agent for the collection of those taxes. One of the points made was, just as the Central Government use their own machinery for collecting such taxation as it levies—for instance, excise revenue, income-tax, salt duty, similarly the Government of Bombay should collect this levy by agencies belonging to itself. My honourable friend departed from that well established principle, from that most efficient practice, and utilised the services of the municipality for the purpose of collecting this revenue. Fortunately, he did not then add to the troubles of the municipality which he is now doing. He did not have the courage then to say that the tax collected by the municipality on behalf of the Government of Bombay under the urban property tax was to be the first charge. That he did not say. I have gone through the Bill. I do not find any provision to that effect at all. Therefore, I contend that this is a new ground we are travelling.

What was the position before this Bill ? If one refers to section 212 of the City of Bombay Municipal Act. the position was this: according to that section, the land revenue was the first charge on the property situated in the City of Bombay and which is subject to the municipal tax leviable by the municipality. After the land revenue, the first thing that came in order of priority was the municipal claim. That was the position. What is going to be the position now ?

The position is going to be this. Land revenue will be the first charge; the urban property tax due to Government is the second charge; and the municipality which has an integral interest in this property tax is to come last. Sir, is that an enviable position from the point of view of the Bombay Municipality which is to carry on its shoulders the burden of the welfare of practically 13 lakhs of people ? Is it right and fair that we should consent to a Bill which places the municipality's claim last ? My honourable friend is responsible for the levy of this urban tax. As he himself stated in the course of his opening remarks this measure is being opposed by the people—

The Honourable Mr. A. B. Latthe: I said, by a section—

Dr. B. R. Ambedkar: That is enough for me. (Laughter.) He said that there is opposition to this measure. If there is opposition to this measure, what kind of opposition is it ? We must realise it. I do not think I am making a false statement or one which is not within the knowledge of the Honourable the Revenue Minister. And the statement is this—and I think my honourable friend the Leader of the Opposition will bear me out that apart from the small sections of landowners opposing the Bill, the whole of the Mohammedan community is opposing it. I think there is not the slightest exaggeration in that. They are : rightly or wrongly, I do not care to examine at this stage. Therefore, it is not the case of a single recalcitrant individual not being prepared to pay; it is a whole community which is opposed to it. Now, Sir, what is the position that we are going to have as a result of this Bill ? The position is this. The municipality is called upon to recover both its own tax levied on properties and the tax levied by the Government of Bombay and to be collected by the municipality on behalf of the Government of Bombay. Now, my honourable friend will not find it agreeable if I state that like a robber he comes forward and pounces upon the money collected by the municipality irrespective of the fact whether the amount collected by the municipality is collected on his behalf or whether it is collected on behalf of the municipality itself. The moment he sees with his open eyes that the bank balance of the municipality is inflated, without examining what the debit side of the municipality is. he issues a warrant to the bank quite at home. The municipality is left high and dry. What is the municipality to do ? The municipality, according to the scheme of the Bill, is to proceed against the whole community and to collect the tax. Now, the point I am putting to my honourable friend is this. If he has the courage, let him collect the tax himself. How can the municipality collect this tax, if it has to come against organised resistance— resistance, let us all be aware of it, coming from the Muslim community, who observe purdah ? Who will have the courage to enter their houses and find out what trinkets they have and what jewels they have ? What is the municipality to do in this case ? It has not an army of police ? It has no

material and no means of forcing people. After all, as he has to levy the tax, then let him come out and as a courageous man employ his own agency and hook it from those who do not want to pay. Why put the municipality to any difficulty ? That is my point. The rest of the thing I do not care to discuss; I do not mind. But the point really is this : Should the Government of Bombay be allowed to put the municipality of Bombay in so difficult a position, for reasons for which the municipality is not responsible ? Why should you shirk your responsibility ? It is no exaggeration to say, and I have no hesitation in saying, that this is a most cowardly Bill. If you say your tax is popular, why are you shirking the responsibility of collecting it ? Why are you throwing the burden on the municipality ? Why are you employing their resources ? From that point of view, I certainly think this is a cowardly Bill which ought not to be supported.

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ON GRANTS FOR EDUCATION

Dr. B. R. Ambedkar: Mr. President, I do not wish to take much time because I know that the time that we have at our disposal is very short. All the same, I wish to present certain points for the consideration of the Honourable the Minister for Education.

The first point that I wish to bring to his attention is the fact that we are making indeed a very very slow progress in the matter of the education of our children. The recent report issued by the Government of India on the progress of education makes a very sad reading. It says that if the progress of education goes on at the rate at which it is going on today it will take 40 years for boys and 300 years for girls of school-going age to be brought under education. I beg to submit, Sir, that that is a very dark-prospect for this House to contemplate. The Honourable the Finance Member on the day on which he presented his budget told us that from the year 1921-22 to the present day, the expenditure on education had increased by something like 39 lakhs. Sir, taking into consideration the amount of increase of expenditure on education and the increase in the number of pupils in the schools, I find that the increase in the number of pupils is certainly not commensurate with the increase of expenditure on education. If we take the statistics from 1916-17 to 1922-23, we find that the expenditure on education has increased by something like 100 per cent., while the increase in the number of pupils during the same period is only 29 per cent.. Sir, I know that there is a great financial stringency in this presidency, and that we are not at present situated in a position to ask for a rapid increase in education, but we can certainly plead for one thing. We have

in this presidency two departments, which if I may say so are working at cross purposes. We have the Department of Education, the purpose of which is to moralise and socialise the people. We have on the other hand the Department of Excise which is working, if I may say so, in the reverse direction. Sir, I think that it is not asking too much if I plead that we should at least spend on education the same amount that we take from the people in the form of excise revenue. The amount of expenditure that we incur per individual in this presidency on education is only 14 annas, but the amount of money that we recover in the form of excise revenue is Rs. 2-2-9 (Rs. 2.17), I think it is only fair that our educational expenditure should be so adjusted that we should spend on the education of the people as much as we take from them in the form of excise.

Another matter which is more or less analogous and to which I want to draw the attention of my honourable friend the Minister for education is that, at present the amount of money which we are spending on primary education is to a large extent really wasted. The object of primary education is to see that every child that enters the portals of a primary school does leave it only at a stage when it becomes literate and continues to be literate throughout the rest of his life. But if we take the statistics, we find that out of every hundred children that enter a primary school only eighteen reach the fourth standard; the rest of them, that is to say, 82 out of every 100, relapse into the state of illiteracy. What is the remedy for this state of affairs? Sir, the comments made by the Government of India in its report on the review of education, I think might, without much excuse be read to this House. The report says :—

" The wastage in educational effort is immense and most educationalists are of opinion that there is no solution to this problem of wastage in educational effort in India, but compulsion. The total wastage of educational effort and its concurrent dissipation of educational funds in the primary classes is about fifty per cent of the total energy put forth." I therefore request the Honourable the Education Minister to spend more money on primary education, if for nothing else at least for the purpose of seeing that what he spends bears some fruit ultimately. Sir, this argument is not very different from the argument that was urged from the official benches in the matter of Back Bay reclamation. We were urged to spend more money on Back Bay because we were told that if we do not spend more money on Back Bay what we have spent will be an utter loss. I think the same argument might be utilised in this case, as well, and we can say that unless we spend a sufficient amount of money, to see that every child that enters a school reaches the fourth standard, what we have already spent upon him is of no purpose whatsoever.

Sir, the third matter to which I wish to draw the attention of the Honourable

Minister for Education is this. Going over the figures which give us information as to the manner by which we finance education in this presidency I find that out of the total expenditure which we incur on arts colleges, something like 36 per cent is financed from fees; out of the expenditure that we incur on high schools, something like 31 per cent is financed from fees ; out of the expenditure that we incur on middle schools, something like 26 per cent. is derived from fees. Now, Sir, I submit that this is commercialisation of education. Education is something, which ought to be brought within the reach of every one. The Education Department is not a department, which can be treated on the basis of *quid pro quo*. Education ought to be cheapened in all possible ways and to the greatest possible extent. I urge this plea because I feel that we are arriving at a stage when the lower orders of society are just getting into the high schools, middle schools and colleges, and the policy of this department therefore ought to be to make higher education as cheap to the lower classes as it can possibly be made. I therefore wish to draw the attention of the Honourable Minister for Education to this rather glaring fact in the administration of education in this presidency.

Sir, the fourth point that I wish to bring to the attention of my honourable friend the Minister for Education is the great disparity in the comparative advancement in education of the different classes in this presidency. But before I go to that, I wish to explain one fact, namely, that the census report of this presidency has, for the purpose of comparing the advancement of the different communities in the matter of education, divided the total population into four different classes. The first class is called " advanced Hindus ", the second class is called " intermediate Hindus " and it includes those people who for political purposes have now been designated as non-Brahmins i.e., Marathas and allied castes.

There is a third class called the backward classes, which includes the depressed classes. Hill Tribes and the Criminal Tribes. Then, we have the fourth class, which covers the Mohammedans. Bearing these divisions in mind, one sees a great disparity in the comparative advancement of these different communities in the matter of Education. Comparing these classes of people, according to the order in which they stand on the basis of population and according to the order in which they stand on the educational progress, what do we find ? I find that the intermediate class, namely, non- Brahmins, who are first in order on the basis of population, are third in college education, third in secondary education and third in primary education. The Backward classes who are second in order of population are the fourth in the order of college education, fourth in order of secondary education and fourth in order of primary education. The Mohammedans who are third in order of population are second

in the order of college education, second in the order of secondary education and second in order of primary education. The advanced Hindus who are fourth in order of population are the first in order of college education, first in order of secondary education and first in the order of primary education. Now, Sir, I have given an idea of the comparative disparity in the educational advancement of the different communities. But the figures do not give us the range of disparity in the advancement of the different communities in our presidency. I will, therefore, present the following figures to the Honourable the Minister for Education for his serious consideration. Taking first the primary education, we find there are—

Advanced Hindus ...	119 students per 1,000 of their population.
Mohammedans ..	92 students per 1,000 of their population.
Intermediate Class...	38 students per 1,000 of their population.
Backward Class ...	18 students per 1,000 of their population.

That is the state of the primary education. Coming to the secondary education, we find—

Advanced Hindus ...	3,000 in one lakh of their population.
Mohammedan ...	500 in one lakh of their population.
Intermediate Class ...	140 in one lakh of their population.
Backward Class ...	14 in one lakh of their population.

That is the state of the secondary education. Now, coming to the college education we find—

Advanced Hindus ...	1,000 in two lakhs of their population.
Mohammedans ...	52 in two lakhs of their population.
Intermediate Class ...	14 in two lakhs of their population.
Backward Class ...	Nil (or nearly one if at all).

That is the state of the backward class, as far as the college education is concerned, when their total population is something like 37 1/2 lakhs. Sir, these figures show two things conclusively : one that the different communities are not on a par in the matter of education. They also show another thing to which I should like to draw the attention of the honourable House, namely that the Mohammedans have stolen an enormous march in the matter of education. Sir, this is not an imaginary statement. The statistics I have given to this honourable House are from the Report of the Director of Public Instruction for Bombay for 1923-24, and in support of this argument I may cite the opinion of no less a person than Sir Ibrahim Rahimtoola who made the same remark from the presidential chair of the Mohammedan Conference. It may be remembered that I am not making this statement in any carping spirit nor grudge the efforts that

Government have made in the matter of the education of Mohammedans. I must here emphasise that this country is composed of different communities. All these communities are unequal in their status and progress. If they are to be brought to the level of equality then the only remedy is to adopt the principle of inequality and to give favoured treatment to those who are below the level. There are some I know who object to this and adhere to the principle of equality of treatment. But I say Government has done well in applying this principle to the Mohammedans. For I honestly believe that equality of treatment to people who are unequal is simply another name for indifferentism and neglect. My only complaint is that Government has not yet thought fit to apply this principle to the backward classes. Economically speaking or socially speaking, backward classes are handicapped in a manner in which no other community is handicapped. I, therefore, think that the principle of favoured treatment must be adopted in their case. As I have shown, their position is worse than that of the Mohammedans and my only pleading is that if the most favoured treatment is to be given to those who deserve it and need it most, then the backward classes deserve more attention of Government than do the Mohammedans. That is the question which I prominently wish to place before this House, and I urge upon the Honourable the Minister for Education that he should adopt the same methods and principle towards the uplift of the backward classes as have been adopted towards the uplift of the Mohammedan community. Sir, I may refer the Honourable Minister to the instructions issued by the Government of India in 1885 on the Report of the Education Commission of 1882. There were several proposals put forward for improving the education of the Mohammedan community; the proposal on which the Government of India, however, laid stress was the appointment of a special inspecting staff to look to the educational wants of the Mohammedan community and to bring home to it the necessity of education. I think there is an equal urgency for special inspecting staff to look after the education of the depressed classes. I may mention, Sir, that the Primary Education Act is a great wrong. Perhaps honourable members may not agree with me, but I say it is a wrong, it is double wrong. It is wrong because the responsibility of education is transferred to the hands of those who are not enlightened enough to understand that education is a great necessity. If there are any people who realise the necessity for education they are not to be found in this Council. The members of the local boards are too uneducated to realise that education is a necessity. Therefore, I say this Council has done a great wrong in transferring the responsibility for education to the hands of those people who do not feel for education. Again, the transfer of education to local bodies is a wrong because the burden has thereby been transferred to shoulders less broad to bear it. Sir, education of the masses, we all realise, is a

matter of great cost and if there is any body which can be said to be able to bear it, it is this Council with its revenue of 15 1/2 crores and not the local bodies with their meagre revenues of a few lakhs. I feel, Sir, that this Council in transferring education to the local bodies has practically postponed the spread of education among the masses *sine die* and in doing so has gravely erred. But, Sir, this is only preliminary to the point which I wish to make, namely that the people who are the greatest sufferers by this wrong are the depressed classes. With great respect to the Honourable the Minister for Local Self-Government, I am impelled to say that his local boards are conceived after the fashion of money houses in a museum where the aim of the curator is to make room for one individual of every species. Sir, there is only one representative of the depressed classes provided in each local body. What is the utility of having only one representative of these classes ? I cannot understand. If, for instance, the representation of the depressed classes in a local board is intended to force upon the local board the policy which is in the interests of the depressed classes, it is futile. For, certainly, one man cannot count in a body of ten or twelve. I hear complaints from all parts of the presidency that, under the present regime, the depressed classes find themselves in a most helpless condition. They are surrounded by people who by no means share their aspirations or their desires for advancement and betterment. There is, therefore, all the greater necessity, I say that this Government should employ certain inspecting agency under their direct control which will see that the depressed classes are not neglected by the bodies to whose charge such an important subject like education has been entrusted. The second thing that I wish to say about the depressed classes is that I find a certain sum has been set aside in the budget for scholarships for the backward communities. Now, Sir, I cannot understand the connotation of the words " backward classes " as used in the budget. I would have very much wished that the Honourable Minister had adopted the same phraseology which the Director of Public Instruction adopts in his report, and I should very much like to see that he allocates a separate and distinct sum to each of the different communities which he proposes to include in the term " backward classes." We would then be in a position to know how the intermediate Hindus, backward Hindus, and the Mohammedans progress year by year. Now-a-days we are lumped together, when, as a matter of fact, there is no reason to lump us all together, because we are certainly different from one another however much we might wish to say we are one.

And the third thing which I wish to point out and which I hope the Honourable Minister will give his best consideration to, is the method of giving scholarships to the boys of the depressed classes. Now scholarship as an aid is better than

no aid at all. But my honourable friend the Minister for Education will take it from me that my enquiries and my experience show that the method of giving scholarships is really a waste of public money. The depressed class parents are too poor, too ignorant, to understand that the help given by Government is really the help for the education of the child. The scholarship is looked upon by the parent as a family aid to meet their expenses. It is certainly not made available for the education of the boy as such, which is the primary object of the scholarship. Secondly, Sir, with the scholarship I have found that the boy is never able to reach the goal. There are a variety of reasons for that. First of all, a boy of the depressed classes is growing up in an evil set of surroundings

An Honourable Member : Who is responsible for that ?

Dr. B. R. Ambedkar: God knows. He is brought up in circumstances which are by no means desirable, and when a boy gets a scholarship, he is an easy prey to all sorts of evil influences. Without proper direction he succumbs and gives up his education and money spent upon him is lost. I would, therefore, put it to the Honourable Minister whether it will not be better for him to spend this money in promoting hostels which either Government may open of its own accord or which may be opened by private agency for the promotion of the education of the backward classes. Sir, it will be a double saving. A hostel, first of all, weans the boy from evil surroundings. It provides effective inspection. And when a hostel is managed by private agency, it will mean some saving of money to Government.

Sir, these are the three suggestions which I wish to make in the very short time that is at my disposal. I hope that my honourable friend the Minister of Education will carefully consider them and do the needful in the matter.

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ON THE BOMBAY UNIVERSITY ACT AMENDMENT BILL: 1

Dr. B. R. Ambedkar: Mr. President, I have listened with great interest to the speech which was delivered by my honourable friend the member for the University of Bombay. He has so exhaustively covered the subject in his speech which it took him an hour and twenty minutes to deliver that I fear very little is left for me to say. However, I think it fortunate that there is a point of view which has not been so far presented before this House either by my honourable friend the representative of the University or by my honourable friend Prof. Hamill who was specially called in to advise us on this important bill

which we are discussing to-day. Sir, my honourable friend Mr. Munshi devoted a considerable part of his speech to the organisation of the University of Bombay. He talked with a great deal of intimacy as regards the relations of the syndicate, the senate and the academic council as laid down in the Bill. I have not the good fortune to be a member of the University. I cannot therefore say with the same authority as to whether the provisions that have been incorporated in this particular bill will produce the results which we all desire that it should produce. But, Sir, I must say with due respect to my honourable friend the member for the University that even if we succeed in establishing the relations between the three bodies in the way in which my honourable friend wants that they should be, I am afraid that in the end we will be getting only the shadow but not the substance. Sir, the bill is primarily intended, if I understand the Honourable Minister for Education correctly, to organise the University of Bombay into a better teaching university. That I consider to be one of the principal objects of this Bill. Now, Sir, when I come to analyse the provisions that are incorporated in this bill must say that I felt that in this particular matter we are sure to be disappointed. One of the greatest defects from which this University has suffered ever since it was established was that it was primarily constituted as an examining body.

Sir, it must be realised that the University cannot succeed in promoting research or in promoting higher education, if it makes the examination system the be-all and end all of its existence. This fact was recognised by the University Commission of 1902 and the bill which followed the report of that Commission recognised that the statute which brought the University into being must be altered so as to enable the University directly to undertake teaching besides its usual task of examining the scholars appearing at its examinations. Now, Sir, when that particular Act of 1904 came into operation, the University, of course, was blocked in its path of undertaking higher education by the existence of a certain number of colleges which were already existing at that time. Obviously, therefore, Sir the only thing that the University could do was to appropriate to itself the field of what is called post-graduate work, and since 1912 the University of Bombay has been following along that line and has established what is called a School of Sociology and Economics to deal particularly with those students who care to take up post-graduate work in that department. I understand, Sir, that the University is also desirous of establishing certain other post-graduate faculties in order to carry out the mission which has been entrusted to it by the Act of 1904. With due respect to those who have framed this bill, I must say, Sir, that they have not paid any attention to the results of this policy of bifurcation that has been adopted by the University in carrying on its function as a teaching university. Sir, I think my

honourable friend Prof. Hamill and my honourable friend Mr. Munshi will bear me out when I say that this bifurcation was brought into being by the Act of 1904, by which the University has appropriated to itself the post-graduate work and has relegated to the colleges the under-graduate work has brought about a certain amount of rivalry—1 may almost say a certain degree of enmity — between the two institutions. Although my experience of this is limited, yet I was a Professor for sometime in one of the colleges, and even though I am no longer a Professor, I still have the chance of meeting my old colleagues and they tell me that the relations between the University Professors and the Professors of the colleges are not as cordial as they ought to be. Surely, Sir, that must be so. When, for instance, a University sets up itself as something higher, as something superior to the other colleges which are already carrying along similar education in their own way, one is apt to feel jealous of the other. Now, I submit, Sir, where a college professor is not on amicable terms with the professoriate established by the University, I think no research, no promotion of knowledge, can be carried on with any benefit either to the colleges or to the University, or to the public at large.

Secondly, I submit, Sir, that unless the University undertakes undergraduate teaching, any amount of super-imposition of post-graduate work will not be of any avail whatsoever. Sir, what is the position of the different colleges that we have to take ? Apart from the Government colleges, I beg to submit, Sir, that most of the colleges are established as a result of private effort, and I do not mean any disrespect to those who are serving upon these colleges, when I take the liberty of stating that I do not think that the colleges are able to cope satisfactorily with the training of the under-graduates. First of all they are inadequately staffed. Take, for instance the two subjects which were my special subjects, namely, history and political economy. I find that a college has generally two professors on its staff to deal with these subjects. Now, I think it would be absurd to believe that two professors in a college can adequately teach such a vast subjects as political economy or history. The result is and I think my honourable friend Prof. Hamill will bear me out when I say that every professor is obliged to lecture for something like thirteen hours in a week. I say that a professor who is made to work in that galley slave fashion can never be a teacher in the real sense of the word. He can only be a hack doing a task with the help of ready-made notes. We can expect no originality from him and he can give no inspiration to those who may have the misfortune to listen to him. The whole study is bound to be a merely mechanical process. Not only are the colleges under-staffed but they are generally staffed by men not because they have more to give to the colleges but because they are willing to accept less. With the help of the army of under-graduates, any adventurer can form a

college and get the control of under-graduate to teaching. I say. Sir, if your under-graduate work is as bad as I have described it to be, a university which merely super-imposes postgraduate to work upon it cannot succeed in promoting real knowledge or real research. Thirdly, the present system involves absolute waste, and I think that by a better organisation of the University and the colleges this waste could be easily avoided. Take, for instance, the question of teaching of political economy in the city of Bombay itself. There are, Sir, to my knowledge somewhere about six professors at the Sydenham College of Commerce who deal particularly with the subjects of history and political economy and commercial geography. There are two professors at the Wilson College who are also dealing with the same subjects. There are two at the Elphinstone ; there are two at the St. Xavier's. Altogether, Sir, in a city like Bombay we have, so to say, a faculty engaged in the teaching of history and political economy which is composed of twelve teachers. Surely, Sir, if these four colleges, with their twelve professors on them, could be organised in such a fashion that the lecturing system was pooled and the students in the different colleges were allowed to listen and attend to the lectures to be delivered in any one particular college, the professors who are lecturing would be easily released to do some other kind of special work. If that is done, I am absolutely certain that these twelve gentlemen, who are now lecturing on the same subjects in the different colleges, not only will be able to manage the under-graduate teaching, but also can manage the post-graduate teaching as well. So that the expenses which we now have to incur on the extension of the School of Sociology and Economics will certainly be saved for better utilisation on other subjects. Now, Sir, not only does this waste take place with regard to the post-graduate teaching of history and political economy; but I submit, Sir, that this waste will take place with regard to any other subject that the University might appropriate to itself as a subject for post-graduate research, for the simple reason that our colleges are, so to say, pocket universities in themselves. Each college is teaching almost every conceivable subject, and it has upon its collegiate staff, professors who teach all subjects which are laid down for the University examinations. That being so if the University establishes separate professors for post-graduate work there is bound to be duplication and waste in addition to the several disadvantages which I have mentioned in the earlier part of my speech. I therefore submit, Sir, that if the object of the bill is to promote higher education and research, the best method would be not to separate the colleges from the University as has been done now but to make a synthesis in which the University and the colleges would be partners on terms of equality and would be participating in promoting together, both the undergraduate and the post-graduate studies. Sir, what I have stated I must say is really not mine.

It is what was recommended by the Sadler Commission which analysed a similar problem which faced the University of Calcutta. There is no doubt about it that the Sadler Commission was one of the most expert Commissions that could possibly be had in this country. I do not personally understand how, for instance, this Government can strut about with a report brought about by men who were absolutely inexpert in their job and pit it against the elaborate and considered judgement of experts who sat upon the Sadler Commission.

I have read with great care the report prepared by the University Committee for the reorganisation of the University of Bombay. But I have found nothing in it which can lead me to alter my opinion that the recommendations of the Sadler Commission will be far more effective and beneficial than the recommendations of the Bombay University Committee. I, therefore, think that it would be far better if my honourable friend the Minister for Education could still in some way, either by introducing provisions in this bill itself or by giving powers to the Senate in the matter of making regulations, allow the University to localise teaching by giving greater control over colleges which may be called "constituent colleges" situated in geographically compact centres. The committee has, I think, admitted that Poona is a place which is ripe for establishing a separate university. There is no doubt that Bombay itself is ripe to have a separate university for itself and I think that if the colleges located in these two centres were separated and grouped into a university, we would be solving the problem of the promotion of higher education and research. As regards mofussil colleges which are scattered about in the Presidency we can very easily deal with them by adopting the suggestion of the Sadler Commission which recommended the establishment of a "Mofussil Board." I say that the scheme suggested by the Sadler Commission is a hundred times better than the scheme recommended by this Reforms Committee, namely, the appointment of a Rector. This is all, Sir, that I have to say as regards the organisation of the University itself.

Now, I wish to turn to the question of the composition of the Senate. A great deal of heat was generated yesterday by the speech of my honourable friend Mr. Jadhav when he said that the statement of objects and reasons does not recognise the necessity of the representation of backward communities on the Senate of the University of Bombay. I was somewhat surprised to see that my honourable friend, the member for the Bombay University, flared up at once. But I should like to point out, Sir, that we always kick the ladder by which we rise, and that my honourable friend, the member for the University, who has violently disclaimed communalism in himself is no an exception. Sir, I should like to remind him that he himself had issued a manifesto to the graduates of the University to support him on the ground of Gujarat was for Gujaratis. I

would like to ask him now if that is not communalism, what is communalism ? I should like him to answer that.....

Mr. K. M. Munshi: I am glad to say, Sir, that that statement is absolutely incorrect.

Dr. B. R. Ambedkar: It is not absolutely incorrect. I myself have read your manifesto. However, politicians are men with very short memories.

What I want to state on the floor of this House is this, that I do not think that the Hindus and Mohammedans, constituted as they are, can honestly say that they are non-communal in their attitude towards each other. 'No member in this House can say that he is non-communal in his attitude. I challenge any honourable member to deny it

Rao Bahadur R. R. Kale: I challenge that statement.

Honourable Members: We challenge that statement too.

The Honourable the President : Order, order. No conversation across the table, please.

Rao Bahadur R. R. Kale: But the honourable member Dr. Ambedkar said that he would challenge any honourable member to deny his statement.

Dr. B. R. Ambedkar: There can be no gainsaying about this, that every Hindu and every Mohammedan is born in a certain caste or a community. There is no gainsaying that we are brought up and bred up in a communal environment. We share the aspirations and the ambitions of that community ; we feel the disabilities of that community and consequently, there can be no doubt in my mind that every member in this House as well as outside is bound to look at every question consciously or unconsciously from a communal point of view.

Honourable Members: No, no.

Dr. B. R. Ambedkar: I refuse to believe in the " Noes " absolutely; I call it hypocrisy—It is absolutely hypocrisy to shout " No ", Sir, I myself look at every question that comes up before this House—1 honestly admit—from a communal point of view and I ask myself whether it would be good for the depressed classes or not.

Mr. K. F. Nariman: Sorry.

Dr. B. R. Ambedkar: Those who say " sorry " are themselves not free from communalism. It is very easy to talk about non-communalism, because it is only talk. We know, Sir, that we are so minded that we cannot, for instance, associate with other communities on terms of equality, that whenever we want to marry our daughters we begin to ask whether the bridegroom to be is a man of our own caste or not (Laughter), when we want to invite guests for dinner we commence to enquire whether they are members of our own community

Mr. B. G. Pahalajani: I challenge that.

Dr. B. R. Ambedkar: It is sheer hypocrisy to say that we do not do these

things. I wish the honourable members to realise that this is a defect for which I do not accuse any one community. I say, Sir, that it is a blemish from which we all suffer. That being so, it ought to be recognised that no one community, however intellectually advanced it may be, can be the guardians of other communities. This has been recognised even by the legislators who framed the Reforms Act. If that was not so, we would not see in this Council separate representation for Mohammedans, separate representation for backward classes and separate representation for the depressed classes. It is because we are constitutionally unable to take a larger view of the situation and in order that the operative forces of communalism may be checked, that this counter-check has been provided and I think very wisely provided by these legislators. I should like to be honest, Sir, and I do hope honourable members will be honest on this point. There is no use talking one thing and doing another. That is the reason, I submit, why there is a necessity for the representation of communities, which are not intellectually advanced, on the Senate of the Bombay University. I submit Sir, that I do not wish to accuse the Senate of any conscious bias at all, yet I say that the policy of the Bombay University hitherto has not been very encouraging to the backward or the depressed classes. I will cite only one instance. Take the instance of the system of education that has been adopted by the University. There is no doubt about it in my mind and I do not think that those who represent the University will deny the fact, that our system of examination is the severest possible that exists in India to-day. This is no doubt justified by certain educationists in India who believe that the raising of the standard of examination is equivalent to the raising of the standard of education. I beg respectfully to differ from them. Examination is something quite different from education, but in the name of raising the standard of education, they are making the examinations so impossible and so severe that the backward communities which have hitherto not had the chance of entering the portals of the University are absolutely kept out. But I do not wish to speak of that; because that system applies to all communities alike.

But, Sir, just think of it. Has the University ever considered the effect of simultaneous examinations on the progress of education of the backward communities? I do not understand what virtue there is in demanding that a particular candidate who appears at an examination shall pass in all the papers at one shot. It may be a matter of indifference, for instance, for students whose parents are rich enough, who can spare time to attend the colleges during the day time and who can devote their whole time to education. But what about the poor, the poverty-stricken parent, who requires his son to earn in the day time to add to the family earnings in order to make both ends meet? What about the boy who finds very little during the 12 hours of the day to devote to university

education ? Surely, if the University was mindful of the economic condition of the backward communities, it certainly would not have persisted in a system of simultaneous examinations which in my opinion is absolutely unjustifiable and absurd. I will give you another instance which comes to my mind just now, because my honourable friend Mr. Munshi says that the University has been doing everything without showing any preference of any kind to anybody. One of my friends, who has been nominated to the University Senate, told me the other day he twice moved a resolution in the Senate that candidates belonging to the depressed classes who appear at University examinations should be shown some concession in the matter of fees. I understand from him that the proposition was twice turned down by the Senate.

An Honourable Member : There are poor people in all communities.

The Honourable the President: The honourable member should proceed without minding interruptions.

Dr. B. R. Ambedkar: It has been everywhere recognised, even by the Government, that there are communities which are economically poor and which do require certain special concessions from the Government, in order that they may come on the same level on which the other communities are. If this wise principle cannot be appreciated and understood by the Senate, then I submit such a Senate can never be the guardian of the interests of the backward classes at all.

My honourable friend Professor Hamill made certain remarks in the course of his speech, and I think it is necessary that I should deal with him, although I do not wish to take much of the time of the House. He said that the depressed classes and the backward classes could certainly get nomination on the Senate, if they can help the efficiency of the University. I think that was the line of argument that he adopted, that if the members of the depressed classes were experts in educational matters, they should certainly have a seat on the Senate of the University of Bombay. Now, I should like to say that my honourable friend Professor Hamill absolutely forgets, when he makes that statement, the true function of the Senate. The Senate is not an executive body of the University. No member from the backward classes has asked for any special representation on the Syndicate or on the Academic Council. I recognise, and I realise fully as well as my honourable friend Professor Hamill does, that these two bodies are no doubt bodies which are to be manned by experts, who will run the show of the University. But I have to remind him that the Senate is entirely intended to be a legislative body, a body which has to put forth the needs of the backward communities and to suggest the facilities that are necessary for meeting them. The Senate in my opinion, corresponds exactly to our Legislative Council, and we have in this Legislative Council

members from the depressed classes, who are appointed not because they desire to displace any honourable members who are sitting here on the Government side but their only business here is to point out to the Government what are the needs of the communities which are suffering under disabilities. That is all we are asking, and I think when my honourable friend makes the point he absolutely forgets what the Senate is intended to be.

Now, Sir, before I close, I wish to state one thing most emphatically, Sir, there is a demand from honourable members belonging to the Swaraj party that we must have provincial autonomy. Sir, it is a demand which is a welcome demand. But, Sir, I beg to submit that when three-fourths of the population is drenched in ignorance and does not know its rights and responsibilities there can be no hope of autonomy. If we do get self-government notwithstanding the fact that three-fourths of the population is drenched in ignorance, our representative system will be a sham, and there would be a rule of wealth against poverty, of power against weakness. That is really what it will be. I, therefore, say, Sir, that if we desire to have provincial autonomy, we must ensure two things. One thing is that every access must be given to every grade of modern education to the communities which are educationally backward, in order that they may realise their rights and liabilities of citizenship, and secondly, in order that every access may be given to these communities, it is absolutely necessary, under the present circumstances, that special representation should be provided for them.

Before I sit down. Sir, I do wish one matter cleared up. You, Sir, have given us a ruling yesterday about which I am not quite clear. I understand, Sir, from your ruling yesterday that the principle of communal representation has been ruled out. Now, by that I understand that the principle of communal representation in the ordinary sense of that word, namely, that the voters of a particular communities are to be grouped together to elect a member from that community is ruled out. That is my interpretation of your ruling. So that, we are debarred now from raising the question of communal representation on the various bodies of the University in that sense of the term. But I do not think that your ruling goes so far as to say that we shall have no say in the matter as to how the 40 seats which are reserved for nomination shall be distributed. I submit that that particular matter is still open for the honourable members of this House to discuss in the select committee or at the second reading. I should like to ask, therefore, my honourable friend the Minister of Education that in his concluding remarks he should make his position clear as regards that point; because, I want to say most emphatically that unless the representation to these backward communities is provided for on the Senate, the bill would be of no value to us whatsoever, and I for one will vote against it.

ON THE BOMBAY UNIVERSITY ACT AMENDMENT BILL: 2

Dr. B. R. Ambedkar: Sir, before I move my amendment to clause 3 I should like to correct a typist's error which has crept in the amendment as it stands on the paper. The amendment should read :

"An incorporated college is any institution founded and managed by the University itself for the study of a special group of subjects not provided in any adequate way in other colleges; and so on." Sir, this amendment which I propose to move is a consequential amendment which depends upon the passing of the main amendment to clause 25 of the bill which I shall be moving. If that amendment is not passed it will not become necessary for me to move this amendment. I therefore submit that I may be allowed to move this amendment after my main amendment to clause 25 is passed. If I move this amendment now and later on if my main amendment is lost, I shall be wasting the time of the House.

RELATION OF COLLEGES TO THE UNIVERSITY

Dr. B. R. Ambedkar: Mr. President, the first part of my amendment to clause 7 is a consequential amendment depending upon the amendment to clause 25. I therefore request you, Sir, to hold it over till the amendment to clause 25 is disposed of.

The Honourable the President: I will hold it over.

Dr. B. R. Ambedkar: As regards my second amendment to clause 7. I understand the Honourable Minister desires to have some time to consider whether he can devise some amendment to my amendment to which both of us can agree.

The Honourable the President: Will the honourable member move his amendment

Dr. B. R. Ambedkar: My second amendment to clause 7 runs thus : Add the following clause to the bill :—

" 7(b) For the purposes of grants-in-aid from Government Treasury the University alone shall be recognised by the Government and no grants-in-aid shall be given to any college except through the University."

I should like to insert the word " except " after the word " college " in the amendment of which I have given notice. It had been left over through mistake of the typist.

Sir, my reasons for moving this amendment are these. Under the new Act the University has been charged with the responsibility of undertaking the work of

education far more directly than it was ever done before. Now, although the responsibility for teaching has been placed upon the University by the provisions of this Act, it must be recognised that the colleges which will be affiliated to the University will be the primary bodies which will carry on the practical work of teaching under this University. Now, Sir, I submit that unless the University is allowed some control over the colleges to regulate the work of teaching that is carried on in the colleges, I think it would not be fair to hold the University responsible for maintaining the standard of education. It must be given power to control the colleges and to regulate their work of teaching if the University is to discharge this responsibility. Now, Sir, under the existing law, the only means of control which the University has over these colleges is that the University appoints, I understand, what is called a committee of inspection, which committee visits these colleges at certain stated intervals, makes inspections and finds out what are the defects in their organisation and equipment That committee I understand ..

Mr. P. R. Chikodi: I rise to a point of order. I should like to know what the exact wording of the amendment of the honourable member is.

The Honourable the President : It was read out, the word " except " has been added.

Dr. B. R. Ambedkar: Now, Sir, I find that the only means of control which the University has over these colleges, whereby it can enforce its regulations on the colleges, is through the report of this committee of inspection. I understand that this committee of inspection occasionally goes round on a visitatorial tour, and makes reports on the defects in the college organisation, and that report, I understand, is submitted to the standing committee of the University; and the standing committee reports to the syndicate its opinion on the defects pointed out by the committee of inspection. That is all that is done today by way of enforcing the rules of discipline which the University has framed in the matter of controlling the colleges. Now, I submit that that is not sufficient, because if the colleges do not follow the directions given by the University on the basis of the report of this committee of inspection then the only effective power which the University has got over these colleges is the right to disaffiliate those colleges. Now, I submit, Sir, that that is a power which is too drastic; it is a power which is the power of annihilation. The University has really, as a matter of fact, no power to amend the ways of the colleges. In other words, under the existing system of control which the University has got over the colleges, the University today can only make or unmake a college, either by granting affiliation or by disaffiliating a college. The University, under the present system, has now power, whereby it can enforce its discipline and compel obedience on the part of the colleges to these rules of discipline, without resort to this extreme penalty

of disaffiliation. Now, Sir, my amendment is such that it gives the University the power to amend the ways of the colleges and to compel obedience on the part of the colleges to the directions given by the University, without resort to this extreme measure of disaffiliation. I submit, therefore, that if the University was recognised by the Government as a unit—and I submit that it ought to be— and if the grants given to the different colleges by the Government were distributed through the University or, if possible, on the recommendation of the University, then my submission is that the University will acquire a power which, it is very necessary for it to enable it to enforce its discipline on the colleges. I think there is no other power which the University can be given which can effect this object, and I say the most necessary object, of enabling the University to enforce its rules of discipline over a recalcitrant college. Now, Sir, this view, that the University should be given financial control over these colleges, is a view which has also been laid down by the Royal Commission on University Education in London. In paragraph 41 of their report, they say :

" The power of the purse is indeed the most important means of control which the University should possess, if it is to organise teaching, with which it is concerned. All the other modern Universities, except Wales and Scotland are masters in their own house in regard to the assignment of State and municipal grants, because the University is one unit and not a congeries of many units."

In this report the Commissioners also recommended that the same principle should be applied in the case of the University of London and my amendment is based upon this important recommendation of the Royal Commission on University Education in London. I should also like to point out in this connection that the organisation of the Bombay University in its inception was fundamentally based upon the organisation of the University of London. I think we are also tending in this Bill to amalgamate, so to say, or assimilate the position of the colleges under the Bombay University to the same position which colleges under the London University have been made to assume under the reforms effected as a result of the Royal Commission. The situation in both cases is the same: and I think the rule prescribed for regulating the relations of the colleges under the University of London to that University should with equal advantage be applied for regulating the relations of the colleges under the University of Bombay to that University. There might be some objection on the ground that probably the University may misbehave in the matter of making recommendation for grants-in-aid. I think there is no justification at all for the supposition that the University will have any private grudge against any particular college. I do not think that a University under the new Act will be composed of such irresponsible persons that they would for their own whims or private ends sacrifice the interests of a particular college. I therefore submit that

on these grounds my amendment should be carried.

Discussion resumed

Dr. B. R. Ambedkar: Sir, although I do not know what is going to be the fate of this amendment, I am rather glad to find that there are so many honourable members who have recognised the principle embodied in this amendment. I do not think that I should waste the time of the House in dealing with every sort of objection that is raised against this amendment, but I should first of all like to point out that so far as I am able to construe the amendment as I have put it down, I do not think that it makes the University in any sense the sole arbitrator in the matter of distributing the grants.

All that I say is this : that the grant shall be distributed through the university. It does not take away the power of control of the Minister of pay grant. He is the final determining authority in the matter of making grants notwithstanding this amendment. I do not think that the Honourable Minister of Education will object to have any consultation with such an important body as the university in the matter of making grants. I am sure that those honourable members who have stood up for the mofussil colleges and feared that university authorities would manipulate affairs in such a way as to affect the interests of the mofussil colleges would agree with me when I say that it is as much their duty as the duty of every one in this House to see that Government money that is paid as grants-in-aid is properly expended by the colleges. I think there cannot be a better body than the university to advise the Minister whether the money which has been raised from taxation and handed over to the mofussil colleges as grants is well spent or not. I think the Honourable Minister should be the last man to reject the views of an important body of which he is going to be the father by the passing of this bill.

There was a point made by the honourable member Mr. Jairamdas which was greatly appreciated by the Government benches. He said that this amendment was going to reduce the control of this House over the Minister. I do not see how that can be the result of my amendment As I said just now the only object of my amendment is to strengthen the hands of the Minister. If that object is not clear I am prepared to accept any amendment which the Honourable Minister may move in order to make that meaning clear. I do not see how it can at all curtail the power of this House over the Minister or the power of the Minister. Even under this amendment the Minister will be the final authority to make these grants. The only object of the amendment is that the university as an intermediary body should be consulted for making grants. I do not think there is any serious limitation either on the power of the Minister or on the control of the House over the Minister. The House on the other hand will be in a much better position to judge whether the provision made by the Minister is properly spent.

With these words I commend my amendment to the House.

9

ON THE BOMBAY UNIVERSITY ACT AMENDMENT BILL: 3
APPOINTMENT OF RECTOR IN THE UNIVERSITY

Dr. B. R. Ambedkar: Sir, I rise to support the amendment of my honourable friend Mr. Jadhav. It has been said by the honourable members who have preceded me that in the present financial circumstances of the University this office will be, an additional burden upon the meagre resources of the University. I think that argument is very cogent in itself, and in the few remarks that I wish to make, I should like to say that the office, administratively speaking, would be a superfluous one. Sir, I find that in 1914 the University of Bombay invited Sir Alfred Hopkinson, the Vice-Chancellor of the Manchester University, to advise the University upon a scheme of research proposed by the University, and I find, Sir, that officer making a report to the effect that this officer is not necessary. He is reported by the committee on University Reform, on page 9, to this effect :

" He was not in favour of a salaried administrative head of the University and proposed to solve the difficulty of getting the increasing work done by employing a full-time Registrar and a paid full-time Secretary to the Joint Matriculation Board and by making more use of the University and College Professors for University administrative work." If that was the opinion of such an expert as Sir Alfred Hopkinson in 1914, I do not see what new circumstances in the intervening period have arisen to compel us to force this officer upon the University. Further, I find that the office of the rector has no defined duties which he can perform. I find it stated on page 162 of the report of the University Reform Committee that the Vice-Chancellor is to exercise general supervision over the University, and to have the power to see that the act, statutes and ordinances are observed. Now, Sir, referring to the position of the rector, the University Reform Committee also states on the same page that he is to hold office for five years and to be eligible for re-appointment, to be the principal executive and academic officer of the University and it is to be his duty to see that the act, statutes and ordinances are faithfully observed, and he should have all the powers necessary for this purpose. I do not see what is the difference between the duties attached to the office of the Vice-Chancellor and the duties that are going to be attached to the position of the rector. If the position as stated in the report of the University Reform Committee is what I have just placed before the House, then I do not understand how this office differs from that of the Vice-Chancellor on the one hand and from the office of the Registrar of the University on the other because I find on page 163 of the

report of the same Committee stated that in the absence of the rector the Registrar will carry on his duties. Obviously, therefore, I do not see that the office of the rector is going to be in any sense distinct from that of the Vice-Chancellor and the Registrar, and therefore calling for the appointment of a distinct officer. It is superfluous and in the present circumstances a burden on the University. On these grounds, I support the amendment of my honourable friend Mr. Jadhav.

Discussion resumed

Dr. B. R. Ambedkar: I rise to support the amendment. I am not really in favour of principals of the different colleges coming into the University; because I am one of those who hold the view that if the University, is to grow, the college organisation must be subordinated to the faculty organisation. It is my own feeling and I do not know how many honourable members share that view. If all the principals are allowed to enter they will carry into the University organisation a spirit of the separatist and instead of integrating the University into one whole they will make University a disintegrated body. But my honourable friend Mr. Hamill has advanced the view that a University must really contain the minimum strength of the academic element that is necessary for the University to function. He has also pointed out that the University as at present constituted does not contain the academic element in sufficient strength. Sir, I think that the point made out by the honourable member Mr. Hamill is worthy of consideration, for I think that while we are democratising the University we must not forget that the University should have a sufficient academic element to enable the University to function as a body entrusted with the educational affairs of this presidency. I do wish that while providing for the presence of this academic element into the University we could have avoided the entry of the principals for the reasons I have already given. But I find that is not now possible, because by the definition in clause 3 teachers include professors. The principals are professors and they could come in whether the honourable member Mr. Dastur's amendment is accepted or not. His amendment is only explanatory and does not introduce any new change. I therefore support it.

ON THE BOMBAY UNIVERSITY ACT AMENDMENT BILL: 4

Dr. B. R. Ambedkar: Sir, I rise to support this amendment. If I had agreed with the views which my honourable friend Mr. Munshi holds on university reforms and the functions of the university, I would certainly not have risen to support this amendment. But I find that both as a person who takes an interest in university reform and as one coming from the backward communities I am in

fundamental disagreement with my honourable friend Mr. Munshi. Sir, my honourable friend Mr. Munshi seems to hold that the University is merely a body for the purpose of making statutes and regulations, that it is a body which is merely concerned with holding examinations, and with providing post-graduate courses in University Departments of Education to be started under this Bill. Sir, I think that that is a very narrow view of the University. One of the fundamental functions of the University, as I understand it, is to provide facilities for bringing the highest education to the doors of the needy and the poor. I do not think that any University in any civilised country can justify its existence if it merely deals with the problems of examinations and the granting of degrees. Now, if it is the duty of a modern university to provide facilities for the highest education to the backward communities, I think it will be accepted as a corollary that the backward communities should have some control in the University affairs. Sir, I look upon the University primarily as a machinery, whereby educational facilities are provided to all those who are intellectually capable of using those facilities to the best advantage, but who cannot avail themselves of those facilities for want of funds or for other handicaps in life. Now, Sir, it is said that the University is primarily a concern of the intelligentsia and of the educated classes, and that as the University is to function properly it is necessary that it should be controlled by what are called the educated classes. I would accept that principle, if the educated classes who are going to control the University possessed what we called social virtues. If they, for instance, sympathised with the aspirations of the lower classes, if they recognised that the lower classes had rights, if they recognised that those rights must be respected, then probably we, coming from the backward communities, might well entrust our destinies to what are called the advanced communities. But, Sir, for centuries we have had the bitterest experience of the rule of what are called the higher and the educated classes, Sir, I think it is hardly to the credit of the advanced classes that there should exist in this country a large part of the population which is known as the criminal tribes. It is certainly not to their credit that there should exist in this country a population which is regarded untouchable. Surely, they could have raised the status of the depressed classes, they could have raised the status of the criminal classes. They could have brought their culture to us and made us equal to them, if they had only the desire to do so. But they have never done so in the past and do not mean to do anything in that direction in future. By their callous neglect of us and by their active hostility to our progress they have convinced us that they are really our enemies. There is no doubt that it is their desire to keep us where we are. I do not wish to refer to the debate that has gone on for the last few days. But there is not the slightest doubt about the fact that the opposition benches which

looked upon Government as their enemy sided with it now with the sole object of defeating us on this vital question. There is no other excuse for their conduct except that they wanted to defeat the claims of the backward communities for representation through nomination. It is for that reason that they have joined Government whom they opposed in season and out of season. Sir, can we have any trust in an intelligentsia so narrow, so illiberal in its views.

My honourable friend, Mr. Munshi said that if it had been a question of division of any material benefits he would probably consent to the introduction of communal representation on the Senate. But I wish to remind him that the backward classes have come to realise that after all education is the greatest material benefit for which they can fight. We may forego material benefits, we may forego material benefits of civilisation, but we cannot forego our right and opportunity to reap the benefit of the highest education to the fullest extent. That is the importance of this question from the point of view of the backward classes who have just realised that without education their existence is not safe. It is for this reason that the fight for increase of seats is being made.

There is another point to which I wish to refer. It has been stated several times that since the principals in the different colleges have been given separate representation it will not be necessary to increase the number of nominated seats, because, if the principals had not been given direct representation on the University, Government would have been obliged to use at least 10 seats to make for them. And that as separate provision has now been made for them the whole number of 40 seats will go to the backward classes. Now, Sir, I submit that it is for that very reason that the number of the nominated seats should be increased for ensuring adequate representation of the backward classes. It can never be guaranteed to us that the principals of different colleges who have got direct representation as a result of the amendment of the honourable member Mr. Hamill would necessarily be friends of the backward communities. I have had sufficient experience of these principals, and I am sure that those who will be elected to the Senate will be from the upper classes and they will never come to the rescue of the backward classes who are clamouring for education. If the Honourable Minister had added 10 seats more to the strength of the upper classes in the Senate he should come to the rescue of the backward communities and equalise the balance. That can be done only by adding 10 more seats to the seats that have already been provided in the bill. Sir, we have expressed our fears and our doubts. I think it is only fair that in a matter like this, where the feelings of the backward communities are so high and where they think that their interest will not be safeguarded unless they get representation on the Senate, Government should consider whether it is proper that Government should use its official

force to put the backward classes at the mercy of the upper classes. I think it would be wise and I appeal to the Honourable the Leader of the House to leave this question to the free vote of this House. Let the House decide in any way it likes best with these remarks I support the amendment.

ON THE BOMBAY PRIMARY EDUCATION ACT AMENDMENT BILL: 1

Dr. B. R. Ambedkar: I find it very difficult to follow this section; if I heard him correctly with reference to what he said that we should not think of a democratic constitution for the board contemplated under section 2A, I agree with him on the point. This board is intended to be a body of experts. Those members who are supposed to be elected by the school boards on the provincial board ex-hypothesis may be persons who will merely express the views of the general public. They could not bring to the work of this board expert mind. Obviously by their constitution, they could not. The other six members are to be appointed by Government. There is nothing in this section to suggest that Government bind themselves to appoint only persons who will be experts in education. The clause merely says that three shall be appointed by the Provincial Government. There is nothing to indicate that the three shall be experts on education. Therefore, analysing the whole constitution of the Provincial Board, beyond the three Government officers, who will be there, there is certainly no guarantee that the board as a majority will have experts on it. Therefore, my honourable friend should accept the principle suggested by the honourable member Mr. Bhole that this ought to be looked at as a democratic institution. From that point of view, the elective principle should prevail over nomination principle. If my honourable friend says that it ought not to be looked at as a democratic institution but as a body intended to give advice, he must provide for it by saying that the board shall consist of a majority of experts on education. I suggest to him whether he will accept some such amendment "three members to be appointed by the Provincial Government shall be appointed from people who are known as experts on education". He should not leave the matter vague as it is. Government in its weaker moments—Government have weaker moments as Governments and we have our weaker moments—may appoint persons who may not be experts. It will frustrate the very object underlying this clause.

The Honourable Mr. B. G. Kher : I am much indebted to the honourable member Dr. Ambedkar for replying in effect to the amendment brought forward by a member of his own party. I confess. I myself could not have put forth more

convincing arguments against the amendment.

12

ON THE BOMBAY PRIMARY EDUCATION ACT AMENDMENT BILL: 2

(Clause by clause reading)

The Honourable the Speaker: We now proceed the Bill No. XV, the Primary Education Act Amending Bill. It was, I believe, on Tuesday last that the House was considering this Bill and, when it adjourned, amendment No. 91 in the consolidated list of amendments was under discussion. That amendment was moved by the honourable member Mr. Jamnadas Mehta and it runs as follows :

The sub-clause (2) of clause 12, omit the words " and shall be servant of ". The clause, as sought to be amended, will then read as follows :—

" (2) The Administrative Officer shall be appointed by the Provincial Government. His pay, powers and duties shall be as prescribed."

Dr. B. R. Ambedkar : May I rise to a point of order. Sir ? I am unable to understand the amendment and the purport of it. Therefore, I am rising to ask for some information on this point. The amendment is to omit the words " and shall be the servant of the Provincial Government ". Am I right ? Therefore, the purpose of the amendment seems to be this

The Honourable the Speaker: The words to be omitted are " and shall be a servant of ". The words " the Provincial Government " are not sought to be omitted.

Dr. B. R. Ambedkar: Therefore, what I understand is that he is to be appointed by the Provincial Government but is not to be the servant of the Provincial Government. My submission is that in law, even if these words were omitted, namely, " and shall be a servant of ", he will continue to be the servant of the Provincial Government, by reason of the fact that he is allowed to be appointed by the Provincial Government. Therefore, it is rather difficult to make up one's mind whether to vote for the amendment or against it. If the honourable mover of the amendment desires that he should continue to be appointed by the provincial Government, then the fact that he is a servant of the Provincial Government is merely the legal consequence of it, and the omission of these words would not come in the way of his being regarded as a servant of the Provincial Government. I want some light on this point.

The Honourable the Speaker: I am not sure whether the honourable member was present when the amendment was moved.

Dr. B. R. Ambedkar: I was present.

The Honourable the Speaker: I am unable to agree about the legal consequences.

Dr. B. R. Ambedkar: The Honourable the Home Minister might clear up the point.

The Honourable the Speaker: I believe the contention was that if the way in which the officers are selected or appointed by the school boards is not an ideal one or a proper one, it should be left to the Government to make the appointments on the lines of the appointment of the Municipal Commissioner for Bombay, but so long as they continue to be in service, they will be the servants of the school board and therefore amenable to their jurisdiction, and liable to suspension or dismissal or to being dealt with in any other way like any other servants at the hands of the school board. That seems to be the idea; and I believe it was also suggested that Government may have a panel submitted to the school board for that body to make a selection, and that is how the appointment was to be made. There does not seem to be any conflict or inconsistency in it.

Dr. B. R. Ambedkar : If the object is that he shall be the servant of the school board, then that object will not be carried out by the omission of these words, " and shall be a servant of " because in law he will be the servant of the Provincial Government, simply by reason of the fact that the Provincial Government appoints him. To be a servant is one thing, to be under control is another. One may be the servant of another, and yet may be under the control of a third party. I submit there is great distinction between the two.

The Honourable the Speaker : It does not necessarily follow that because an appointment is made by one party he cannot be the servant of another party. A person may be appointed by one party and yet may be the servant of another party. I expect the honourable member will clarify it in his reply.

Mr. Jamnadas M. Mehta: So far as I am concerned, I do not look upon it as a point of order.

Dr. B. R. Ambedkar: It is a point of information, if not a point of order. I would like to understand the position in order to decide whether to vote one way or the other.

The Honourable the Speaker: I will leave it to the honourable member the mover of the motion to reply, so far as the point of information is concerned.

13

ON THE BOMBAY PRIMARY EDUCATION ACT AMENDMENT BILL: 3

Dr. B. R. Ambedkar: Sir, I lost my opportunity of speaking on this amendment, but there is a question which I should like to ask the Prime Minister, if you permit me, just for information's sake.

The Honourable the Speaker: Do not be too long.

Dr. B. R. Ambedkar: He wanted to speak on the point, but I think he forgot. I should like to ask the Prime Minister whether the school board administrative officer would be under the disciplinary control of the school board or not. I can quite understand from the clause that he is a servant of the Provincial Government. But while he is in the school board, would he or would he not be under the disciplinary control of the school board ?

The Honourable Mr. B. G. Kher: How do you mean ? We have provided for this by saying that his pay, powers and duties shall be prescribed by rules. The powers of the school board are already defined. The honourable member was not present when I went into them in detail and put before the House the powers and duties of the school boards. These will now be prescribed by rules, as to what exactly will be the powers and duties of the administrative officers. I do not think, therefore, that the question of the school board's wishes in important matters being overridden by the administrative officer is such an imminent danger.

The Honourable the Speaker: It is not a question of danger. The point of the enquiry has been as to whether he will be subject to the disciplinary control of the school board.

The Honourable Mr. B. G. Kher: Well, he will not be removable by them.

Dr. B. R. Ambedkar : I will cite an example. There is an officer working in the Secretariat. An order is issued by the Minister, and the officer disobeys the Minister. The Minister has a right to punish him in the four or five different ways mentioned in the Civil Service Regulations. Of course, the officer has a right of appeal under certain circumstances. What I want to know is whether the relations of the administrative officer and the school board in the matter of disciplinary control would be exactly the same as the relations of the Minister and any other superior administrative officer.

The Honourable Mr. B. G. Kher: No. I am afraid not.

Discussion resumed

Dr. B. R. Ambedkar (Bombay City): Sir I want to move an amendment to the amendment of the honourable member Mr. More.

The Honourable the Speaker : Is it a different one ?

Dr. B. R. Ambedkar : Yes, it is a different one. My amendment is this :

" For the words ' removable from his office as such administrative officer ' substitute the following : —

' under the disciplinary control of the school board and shall be liable to such punishment for breach of discipline at the hands of the school board by a resolution duly passed, subject to a right of appeal by the administrative officer, as may be provided for by rules." So that the whole of the amendment with my amendment will read thus—

' The administrative officer shall be under the disciplinary control of the school board and shall be liable to such punishment for breach of discipline at the hands of the school board by a resolution duly passed subject to a right of appeal by the administrative officer, as may be provided for by rules.' "

The Honourable the Speaker: We should add " by the school board " after the word " passed " and change " provided for " into " prescribed ". The amendment will then read—

Delete the words beginning from " removable from his office " and ending with the words " shall forthwith withdraw the administrative officer ", and substitute instead the following :—

" under the disciplinary control of the school board and shall be liable to such punishment for breach of discipline at the hands of the school board by a resolution duly passed by the school board, subject to a right of appeal by the administrative officer, as may be prescribed by rules."

Dr. B. R. Ambedkar (Bombay City): Sir, the amendment which I am moving is totally different from the amendment which has been moved by my honourable friend Mr. More. Mr. More's amendment provides that under certain circumstances, the school board shall have the right to remove from office the administrative officer who has been appointed by Government. My amendment is fundamentally different from the amendment of Mr. More. My amendment does not give the school board the power to remove or dismiss an administrative officer. All that the amendment seeks to do is this that during the period when an administrative officer is engaged in doing his service as an administrative officer under a particular school board, that school board shall have disciplinary control over him. Sir, it must be realised that clause 12 of the Bill is an anomalous clause in principle. It is an accepted principle that an officer must be subordinate to the authority whose servant he is. Now, by this clause 12, we have provided that the administrative officer shall be appointed by the Provincial Government and that he shall also be the servant of the Provincial Government. The evil effects of this anomaly have been pointed out by various members of the House who have spoken on the amendment which was tabled by my honourable friend Mr. Jamnadas Mehta. Therefore, I do not wish to take the time of the House in repeating what has been stated. What would be the result of enacting clause 12? I have my sympathy with the Honourable the Prime Minister in the procedure which he has adopted, namely, the administrative officers should be appointed by the Provincial Government and should be the servant of the Provincial Government and for two reasons. One reason why I sympathise with the view he has taken is this. If the local boards or the school boards continue to appoint the administrative officers, the one result will be that the administrative officers will have to spend all his life in

one place which is undoubtedly a bad thing in principle, because, when an officer remains in service in one particular place all his life, he does undoubtedly create a party for himself, secures friendship and, therefore, provides for himself opportunities and occasions for exercising his administrative power in a partial way. Therefore, it is very desirable that these administrative officers should be moved from place to place just as the practice of moving important officers, like the Collector or the District Judge, from district to district. The second reason why I felt a certain amount of sympathy for the procedure adopted by the Honourable the Prime Minister is this. Unless Government appoint the administrative officers, it is not possible to provide a cadre with a regular service, with prospects of promotion and so on. I fully sympathise with that view. But, Sir, I do not understand why it should be difficult for Government to place these officers under the school boards for the purpose at least of disciplinary control. I do not understand how the smooth working of the local board machinery as contemplated in this Bill can be secured unless the amendment which I am suggesting is given effect to.

I should like to illustrate what I have to say by reference to what has happened under the Government of India Act. I would take for illustration the position of the members of the Indian Civil Service. The members of the Indian Civil Service are appointed by the Secretary of State. At the time when the Montagu-Chelmsford Report was made, I think those who have read it will realise that one of the greatest difficulties that was felt at the time in transferring effective control to ministers was just the opposition of the members of the Indian Civil Service. The contention of the members of the Indian Civil Service was that, as they were appointed by the Secretary of State and not by the ministers who were going to take office under the then contemplated reforms, they protested that they could not subject themselves to any control by ministers. On the other hand, those who were upholding the cause of transferring effective power to Indian ministers decided that there could be no effective transfer of power to the Indian ministers unless the Indian ministers had effective power of controlling the Indian Civil Service members who were the instrumentality of the administration. For a long time this tussle was going on, and as a matter of compromise it was decided, if I remember correctly, as a result of the report of the Lee Commission, that the via media should be the via media which I am suggesting by my amendment. The via media that was suggested between the point of view that was taken by the members of the Indian Civil Service and the point of view that was taken by Indian politicians, namely, that the I.C.S. men should be under the entire control of the Ministers, and that those I.C.S. men who were working in the Transferred Departments under the dyarchical system should be under the disciplinary control of the

Ministers. And by the Classification Rules it was provided that five different kinds of punishments might be levied by the Ministers against a recalcitrant I.C.S. man who refused to obey the orders of the Ministers. The punishments that were prescribed and which the Indian Ministers could exercise under those rules were censure, reduction, stopping of promotion, transfer and dismissal. The civil servant at the same time was given a right of appeal if he felt that a punishment had been inflicted upon him by the Minister which was not proper, which was unjust, or which was based upon racial antagonism. The civil servant would take his appeal to the Governor and finally to the Secretary of State and challenge the order of punishment passed by the Minister. In this way the two contending points of view, namely, no control, and absolute control, were brought so to say, to a common meeting point; the formula that was devised was that the civil servants should remain servants of the Secretary of State, liable to be dismissed by the authority who appointed them, but during the period that they were working as servants in the department, they should be subject to the disciplinary control of the Minister in charge of the department. Sir, the amendment which I have tabled merely gives effect to that formula. It does not take away the right of the Minister to appoint; it does not take away the right of the Minister to dismiss an administrative officer; nor does the amendment say that during the period that the administrative officer is serving under a school board he shall be regarded as the servant of the school board. The amendment is of a very limited character; it merely says that during the period that he is working as the administrative officer of the school board, the school board shall have disciplinary control. Further, what kind of punishment the school board shall levy, and what is the nature of the appeal that the administrative officer is to have, are still matters which by my amendment are left to the Government to prescribe by rules. I do not say that this or that kind of punishment may be inflicted upon the administrative officer by the school board; I do not say that this or that alone should be the right of appeal. The nature of punishment, the extent of appeal—all that is left to the discretion of the Government to provide for by rules. All that the amendment does is to ensure that during the period that he is working : he shall feel that the school board has control over him. If we do not give even this little power to the school board, I do not quite understand how and administrative officer will feel, by the necessities of the case, that he is really the servant of the school board. I ask the Honourable the Prime Minister; supposing he himself had no such power over the civil servant that was working under him, if he could not punish him for any disobedience on his part, what would be the state of his own department ? I submit that in the interest of smooth working this much at least must be given to the school board in order that the administrative officer shall feel that he is

bound to carry out the just and lawful order of the school board. With these words, I commend my amendment to the House.

14

BILL No. XII OF 1928 TO AMEND THE BOMBAY HEREDITARY OFFICES ACT

The following Bill, for the introduction of which leave was granted to Dr. B. R. Ambedkar, M.L.C., at the meeting of the Legislative Council of the Governor of Bombay on the 19th March 1928, is published under rule 20 of the Bombay Legislative Council Rules :—

BILL No. XII OF 1928

A Bill further to amend the Bombay Hereditary Offices Act, 1874 (Bom. III of 1874)

WHEREAS it is expedient to amend the Bombay Hereditary Offices Act in a manner hereinafter appearing; And whereas the previous sanction of His Excellency the Governor under section 80C of the Government of India Act has been obtained, it is hereby enacted as follows :—

1. This Act may be called Bombay Hereditary Offices (Amendment) Act, 1928.

2. *Amendment of section 9 of Bom. III of 1874.*—In section 9, clause (1), for the words " whether assigned as remuneration of an officiator or not ", substitute the following :—

"not assigned as remuneration of an Officiator".

3. *Insertion of new section 9A in Bom. III of 1874.*—After section 9, add the following:—

" 9-A. (1) Whenever any watan or part thereof assigned as remuneration of an officiator has or have before the date of the Bombay Hereditary Offices Act, 1874 (Bom. III of 1874), coming into force passed otherwise than by virtue of, or in execution of a decree or order of any British Court, and without the consent of the Collector and transfer of ownership in the revenue records, into the ownership, or beneficial possession of any person, not a watandar of the same watan, the Collector shall declare such alienation to be null and void, and order that such watan or any part thereof, or any profits thereof, shall from the date of such order belong to the watandar previously entitled thereto, and shall recover and pay to such watandar any profits thereof accordingly.

(2) If such part of the watan be land the Collector shall order its transfer to the watandar."

4. *Amendment of section 15 of Bom. III of 1874.*—Add the following proviso to section 15, clause 1 :—

" Provided that the whole body of representative watandars or a majority of them holding a hereditary office within the meaning of section 63 of the Act having in their possession watan lands shall have the option, if the same be expressed by a written application to the Collector, to be relieved of their obligation to perform such services in perpetuity and shall be entitled to retain possession of the lands held by them if they agree to pay full survey assessment on such lands."

5. *Amendment of section 19 of Bom. III of 1874.*—Delete the following from section 19, " and to decide whether the payment shall be made in kind or money ".

6. *Insertion of new sections 19 A, 19B, 19C and 19D in Bom. III of 1874.*—After section 19, add the following sections :—

19A. When the whole body of representative watandars or a majority of them whose watan property consists of a right to a levy in kind apply to the Collector to convert such right into money cess the Collector shall then convert the same into an equivalent money cess.

19B. When such a right to a levy in kind has been converted into an equivalent money cess the whole body of representative watandars or a majority of them concerned may apply to the Collector to recover the same from those who are liable to pay. The Collector shall then recover the same along with and as part of the land revenue and shall direct that the same be paid from Government treasury to those watandars entitled to the same.

19C. In case where such a right to levy in kind be deemed a joint return for services to both the ryots and the Government the whole body of representative watandars or a majority of them whose right to a levy in kind has been converted into a money cess may apply to the Collector to decide how much of the money cess is due to them for services to Government and how much for services to the ryots. The Collector shall then give such a decision, which decision shall be deemed to be final.

19D. That the whole body of representative watandars or a majority of them who have asked for such a decision as is referred to in section 19C, shall have the option to refuse to render any services to the ryots provided they inform the Collector in writing of their decision in this behalf. In case such option is exercised the watandars exercising such option shall forfeit that portion of the money cess due to them for services to the ryots.

7. *Amendment of section 21 of Bom. III of 1874.*—In section 21 for the words " such periods " substitute the following : — " a period not exceeding ten years ".

8. *Amendment of section 83 of Bom. III of 1874.*—This section shall be substituted in place of section 83—

83. After the passing of the Act, Government shall make rules, except as is otherwise provided for in section 18. Laying down the duties that are to appertain to any hereditary office :

Provided that the rules so made shall not come into operation until the same are previously published in the *Bombay Government Gazette* for one month previous to the next session of the Bombay Legislative Council and shall be liable to be rescinded or modified by a resolution of the said Council tabled at the next session thereof.

Statement of Objects and Reasons

The objects of this bill are :—

1. To make better provision for the remuneration of the officiating watandars.
2. To allow commutation of watans of inferior hereditary village servants.
3. To provide for the conversion of Baluta into money cess.
4. To allow the holder of inferior watan to free himself from the obligations to serve the ryots.
5. To define the duties of officiating watandars.

(SIGNED) B. R. AMBEDKAR

G. S. RAJADHYAKSHA,

Acting Secretary to the Legislative Council of the Governor of Bombay.
Bombay, 13th April, 1928

15

ON THE HEREDITARY OFFICES ACT AMENDMENT BILL: 1

Dr. B. R. Ambedkar: Sir, I rise to move that Bill No. XII of 1928 (A Bill further to amend the Bombay Hereditary Offices Act, 1874) be read for the first time. This bill is not concerned with the Patel or the Kulkarni. The hereditary officers referred to in this bill are known under the Hereditary Offices Act as the inferior officers. At the present moment, such inferior hereditary officers cover the Mahars in the Deccan, the Vethias or the Varthanias in Gujarat, the Ramoshis or the Juglias and the Holiyas in Karnatak. A large part of these inferior holders are Mahars, and in the course of the remarks that I propose to offer this House, I shall largely speak of the Mahars as representative of the inferior officers.

Sir, in order to understand the provisions of this bill, I think it is very necessary that the House should know the wrongs and the grievances which have led me to bring forth this Bill. Now, the wrongs are very many, but I do not wish to spend the time of this House in giving a lucid description of what actually takes place. I will speak in general of the system and the nature of that oppressive system. First, Sir, it will be remembered that these inferior holders of watan are

Government servants according to the Watan Act. But, Sir, the duties of these Government servants are not defined anywhere. It is not known, in fact nobody as a matter of fact can say, to what particular department these watarand Mahars belong. As a matter of fact, every department claims their services. They can be called upon to render service to the Irrigation Department; they can be called upon to render service to the Revenue Department; they can be called upon to render service to the Vaccination Department; they can be called upon to render service to the Education Department; they can be called upon to render service to the Local Self-government Department, and I think they can also be called upon to render service to the Police Department. They can also be called upon to render service even to the Excise Department. That I submit is an extraordinary system. Every Government servant knows and knows definitely to which department he belongs and the services that are expected of him. No department I understand employs any individual as servant who can be called upon as the maid of all work but Mahars for all practical purposes are and are treated as maid of all work of all the Government departments. Further he may be called upon to render service at any hour of day or night. Every other Government servant, however humble his position between particular hours; every peon in the Collector's office or any other office knows that he has to go to his duties at definite hours and return at definite hours. But that is never the case with these Mahars. They can be called upon to render service not only during the day not even between sunset and sunrise but they can be called upon to render service at night. If an officer calls upon the Mahar to render service during night, whether it is raining or there is lightning or any other difficulty, he dare not refuse to do so.

The third grievance is this. In the case of Mahars the officiator is the person whose name is entered in what is called the service register and he is not the only one person who is liable to render service to Government, but his whole family is liable to render service to Government. In case the officiator whose name is entered and who is liable to render service has gone out on service, if the officiator is absent on any Government duty and if there is no one to answer the call, his father may be called upon to render service. If his father is absent his grandfather may be called upon to render service but the names of the father and grandfather may not appear in the register. Not only the male member but, I submit that in their absence the female members also are impressed into Government service. If the officiator is absent his wife may be called upon; if the wife is absent his mother may be called upon and if the mother is absent the young female members of the family are required to render service in the absence of the officiator. Imagine for one moment a situation like this; a young female Mahar of 18 years called upon by a police

officer of 18 years to carry his bigar with him for a distance of five or six miles ! ! Imagine the dangers to which she is exposed under a situation like this !! Sir, there is no escape out of the system as it exists today. Under the system as it operates not only the officiator is obliged to render service but the whole family is obliged to render the service. I submit that this is a most oppressive system not obtainable in any other department of Government service.

Coming to the question of remuneration, what is the remuneration that these poor people get for their hard and arduous labour that they do for all the 24 hours ? This House will be surprised if I tell them that the Government practically pays nothing from their treasury directly for the services it exacts from these people. I have before me the figures given by the Government themselves. In Thana district the amount paid by Government directly to the Mahar officiator comes to Rs. 1-8-0 per month: the amount paid in the Ahmednagar district comes to Rs. 1-8-0 per month ; the amount paid in East Khandesh comes to Rs. 1-12-0 per month ; the amount paid in West Khandesh comes to 9 as. 4 pies per month ; in the Nasik district the amount comes to Re. 0-13-4 per month ; the amount paid in the Poona district is Rs. 1-1-4 per month ; the amount paid in the Satara district comes to Re. 0-2-1; the amount paid in a Sholapur district comes to Re. 0-3-3 per month ; and in the Bombay suburban district the amount varies between Rs. 9-8-0 and 5 as. per month. There is no salary paid by Government from their treasury in Belgaum. The figures for Ratnagiri and Kolaba are not given by Government in answer to the question put in March session of 1925. This House can see what a paltry pittance the Government pays for the services they exact from them. There is practically no remuneration whatsoever which Government gives to these poor Mahars for the services it exacts from them. The sources of income for these people, the watandar Mahars, are two. The first source is the inam land and the second source is what is called the baluta or the collection of grain made by the watandar Mahars from the villagers. These inam lands were not given by British Government but they were given to these Mahars by the ancient Emperors of this country. The Mahar watan is the most ancient watan that we have in this country and all the lands have been given to them in ancient times. I do not know, at least I am not aware, that the British Government has ever increased the extent of land that has been once given to these people in ancient times. Prices have increased, the standard of living has gone up and every Government servant has been given an increase--I do not know how many times—since the establishment of British Government. But the British Government has never paid a moment's attention to the remuneration of these people. They have left these poor people with such land as the ancient Rajas were pleased to give them. The Mahar population has increased enormously

and the land assigned to the Mahars is divided and sub-divided to such an extent that the income these people get from the inam lands is absolutely not worthy of being taken into consideration. The main part of the remuneration which these people get comes largely from the second source, namely, the baluta. Now, Sir, the peculiarity of this mode of payment is really worthy of notice by this honourable House. Again I will repeat that the Mahars are Government servants; but the Government does not take upon itself the responsibility of paying the remuneration to the person whom the Government employs. In every other case Government takes upon itself the responsibility of paying the peon, the clerk, the officer and employers but in the case of Mahars, so far as baluta is concerned, there is no way by which Government takes upon itself the responsibility that the remuneration shall be paid to them. The reason is that under the Watan Act with regard to the payment of the baluta, the Mahar is left entirely to the sweet will of the ryots. If the ryots are pleased to pay a Mahar he can get it. If the ryots are not pleased to pay the Mahars at the end of 12 months after exacting service from him, the Mahar will find that he has rendered service for nothing.

That, I submit, Sir, is an atrocious system, a system which has no justice in it whatsoever. If the Government desires that these people should work for them, it is absolutely necessary that the Government should take upon its shoulders the responsibility of paying these Mahars; they ought not vicariously to throw off this burden in a most careless way upon a third party, namely the ryot, but that is exactly what is happening under the present system.

Then, Sir, is there any security that the watan will be continued? Is there any security that the Mahar watan will not be suspended or resumed? Sir, there is no guarantee whatsoever. The reason is obvious and very simple. In every case of course, the tenure of service of a subordinate depends entirely upon the goodwill of the immediate officers under whom he works. Here, Sir, the patil, the kulkarni and the mamlatdar are the immediate officers under whom the Mahar has to work. The Mahar, cannot expect that his watan will be safe unless, besides rendering services to the Government—1 mean the legitimate services which are expected of him as a Government servant—he also renders willingly, and without remuneration, private services to his immediate superiors, namely the patil, the kulkarni and the mamlatdar. Unless he ingratiates himself into their favours—and those favours are not easily given; they are earned at the cost of services rendered without remuneration—there is no security that the patil or the kulkarni will not make a report that the Mahar is not discharging his duty—an absolutely false and concocted report. There have been innumerable cases where such reports have been made by patils and kulkarnis and acted upon by the mamlatdar and the Mahars have had their watans

suspended or resumed. In my own experience, which I admit does not extend over a very large number of years, I have come across innumerable cases where Mahar watans have been suspended or resumed. I have myself tried my level best to get the superior officers, the District Deputy Collectors, the Assistant Collectors, the Collectors and even the Commissioners to reverse the orders passed by the mamlatdars, but. Sir, I have never succeeded in any single case. The result is that the subordinate officers are always certain that their decision, whether it is right or wrong, whether it is founded on legitimate grounds or not, whether it is based on concocted evidence or not, will be upheld by their superiors. Grounded in that feeling of security there is no limit to the oppression or tyranny these people exercise over these unfortunate class of people. That, I submit, is another evil which is inherent in this system.

Now, Sir, if the evils of the system affected only the officiating Mahars and did not affect the rest of the depressed class community, probably I would not have made so much of the matter. The trouble is that the evils of this system are so wide in their scope and extent, so all-pervading, that they affect not merely the officiating class of Mahar but they affect the whole population of the depressed classes. Sir, the House will not probably believe it when I say that as a result of the watan system it is not open to the Mahar population in villages to claim the benefit of Dr. Paranjpye's circular that their children should be made to sit along with the children of the other classes; although this Council has passed a resolution that the depressed classes should be allowed the use of dharamshalas and all public places, it is not open to the depressed classes to ask for these privileges that this Council has been pleased to give them. This Council, as I say, will not believe in this, that the watan system is responsible for a situation like this; but. Sir, that is the only explanation that I can offer why the Mahar population is not able to progress. The reason is simple. Whenever, for instance, any Mahar community in any particular village desires to make progress in any particular direction and that direction is not liked by the ryot, the one immediate step that the ryot takes is to stop the baluta and to proclaim a social boycott. I have known of a case where the villagers have stopped the baluta and declared a social boycott because the relative of a certain Mahar went into the village with socks and boots, an act which the villagers did not like. I have known of a case where the villagers have stopped the baluta and declared a social boycott against the Mahar population because one Mahar in the village had the daring to put tiles on his house. Sir, such a system which enslaves the whole population, which smothers the spirit of progress, which blocks the way for furtherance, is a system which, I think, no right-minded person, no man with any feelings, will sustain or will justify. Sir, no wonder that the whole of the Mahar population is absolutely tired of this watan system. My

honourable friend the Revenue Member will take it from me that the whole of the Mahar population—1 say that without fear of challenge—is absolutely tired of the system and is desirous of getting rid of it as soon as possibly can. With these few preliminary remarks I will now proceed to explain the provisions of the bill which is before this House today.

Now, Sir, for the consideration of my bill it is necessary to bear in mind that I propose to make two divisions of the watandar Mahar population. The first division is one which is absolutely tired of and would have nothing to do with the watan at all, a class which would like to be immediately relieved of the obligation to serve. Their only condition is that if they choose to give up their watan, that is to say their right to serve hereditary, they should not be deprived of the lands which they have in their possession. In order to carry out that object I have provided by clause 4 to add a proviso to section 15(7) of the existing Watan Act. By that proviso I propose that if a representative body of watandar Mahars or a majority of them represent to the Collector in writing that they do not want to serve and that they are willing to pay the full rate of assessment on their lands, the Collector should relieve them of their obligation to serve. That is the meaning of the proviso. Now, the first thing I should like to point out is that the principle of this proviso is not new. The principle enacted in this proviso is a very old principle, a principle with which the Government is familiar and a principle which Government have accepted and acted upon on various occasions. Sir, this House or at least the majority of honourable members in this House will know that before the introduction of British Government in this country we had in the villages twelve different village servants known as Balutedars. When the British Government began the administration of this country they classified these 12 officers into three groups : Those whose services were necessary for the purpose of Government, those whose services were necessary only for the purposes of ryot and those whose services were necessary for both. In the case of those village servants whose services were only necessary for the purpose of the ryot, Government by what are known as the Gordon settlements, commuted their watans, that is to say they allowed them to retain full possession of the lands on their consenting to pay full revenue assessment. Sir, the proviso of my bill is nothing else than the principle embodied in the Gordon settlement.

The second example that I would like to give in support of my proposition that the principle of the bill is not new is that I find in 1923 Government issued a resolution with respect to the Shetsanadi watans. In that resolution No. 9319, dated the 13th October, Government have laid down that these Shetsanadi watandars who do not render services may be relieved of their obligations to serve provided they are willing to pay full revenue assessment

Then, Sir, I should like to remind the House of the more recent example, I mean the Joshi Bill. When the Joshi Bill came up for discussion on the floor of this House it was pointed out that those Joshis who do not want to serve should be allowed to keep their land. Government, on that occasion, introduced of their own accord, I understand, a proviso in the bill allowing the village Joshis to retain the land provided they were willing to pay full revenue assessment. The proviso of my bill is not something different from the proviso introduced in the Joshi Bill.

Then, Sir, I should like to argue this point also from the legal point of view. Suppose, now, there was not this proviso and supposing a watandar Mahar wanted to be relieved of his obligation to serve and suppose, further, that Government wanted to exercise their powers of resumption of the watan, what would Government resume ? I submit, Sir, that Government would be entitled to resume only the land revenue and nothing more. The High Court of Bombay in a series of decisions which it has given has held that in the case of inam in this Presidency there is always the presumption that the grant is of land-revenue only and not of the land. That has been the view of the Bombay High Court. That being so, I submit, Sir, that ordinarily and without the enactment of this proviso the utmost that Government can do in the case of Mahars who do not wish to render services would be to ask for full revenue assessment on their lands because the inam merely consists in nothing else than freedom from land revenue. The grant does not include the land. I am aware

Sardar G. N. Mujumdar : Even in the case of Mahars ?

Dr. B. R. Ambedkar: Yes, even in the case of Mahars. I am aware, Sir, that there are two decisions of the Privy Council wherein their Lordships have stated that there is no justification for starting with a presumption of this sort. But then, Sir, there is also a decision of the Bombay High Court after those judgements were delivered. I refer to 22 Bombay Law Reporter, page 275 where the High Court has held, even after the decision of the Privy Council that that presumption holds good and the reason they have given is very important. That reason is this. Government in 1854 after the passing of the Act of 1852 for inquiring into the titles of revenue free estates passed a resolution defining the meaning of the word " resumption ". I refer to resolution No. 2449 of the year 1854. The resolution expressly states that resumption means not taking away the land but the levying of full revenue assessment. The Bombay High Court says that having regard to that resolution its ruling that in the case of crown grant the resumption is of land revenue and not of land will not be unjustifiable. I, therefore, submit, Sir, that even on legal grounds what Government can resume in the case of Mahar watans would be land revenue only and not land.

The Government may perhaps object to this proviso on the financial grounds.

Government have stated in the course of the debate which has preceded this bill that if watan were commuted, that is to say, if the Mahars were allowed to retain their watan lands on the payment of the land revenue, Government in that case would be obliged to employ a paid agency and that the cost of remunerating this paid agency would be an additional burden on their treasury. Now, Sir, my first submission is this : I do not think there would be any additional burden on the treasury, and for these reasons. Even if Mahar watan are commuted and even if Mahars are liberated from rendering services that they render and even if Government employ a paid agency the Government will have at its disposal a fund from which they would be in a position to pay the new agency employed. First of all they would have a fund derived from the assessment levied on the lands of the Mahars. In addition to that Government will also have the right to levy baluta because according to the ruling of Government the village population is liable to pay, the cost of the watch and ward. I submit, Sir, that these two things together will form a sufficient fund for the maintenance of the new paid agency. The one reason which terrified Government at the thought of commutation of the Maharki watan is that they think they shall have to employ the same number of people as they at present employ. I understand—I have not the exact figures—that Government are employing about 64,000 Mahars in the Bombay Presidency. I submit, Sir, under the new system they will not have to employ such a large number of people. They are employed by Government now because they can vicariously do so at the cost of the ryot. In some villages there are 16 Mahars employed. In other villages for instance in Nagar District there are 32 Mahars employed in one village. I submit, Sir, that the number of Mahars employed at the present moment is most extravagant which certainly can be greatly reduced and if the reduction comes about as I expect it is bound to come, one-third of the present number will be sufficient and the land revenue and the baluta will constitute a sufficient remuneration without any additional burden on the treasury. I ask in all seriousness why should not the Government undertake to bear that burden ? Why should not the Government pay the cost of the services ? In the case of every other Government employee, Government has made itself bold to come before this Council to ask for additional money. Sir, in the year 1921 Government agreed to increase the salaries of village teachers. In the same year Government brought forward proposals to increase the salaries of the subordinate services. Apart from this, Government brought forward proposals to increase the salaries of the talatis. If, Sir, the Government have got the nerve, the courage and the sympathy for these classes to bring forward financial measures to remunerate other services, why should not Government have the same nerve, the same courage and the same sympathy in the case of

these Mahars ? I do not understand, Sir, why for instance Government should continue or be a party to a system which enthral and enslaves a class of His Majesty's subjects. I submit, Sir, that either on the legal ground or the moral ground, and I say on financial ground, the principle I have enunciated in section 4 of my bill is just and equitable.

I now come, Sir, to the other class of watanar Mahars, those who care to carry on with the watan, those who are prepared to render services provided their grievances are remedied. These Mahars I have provided for in clause 6 of my bill. The provision in this section which is sought to be enacted in the interests of that part of the Mahar population, which cares to carry on the village duties, mainly consists in the re-organization. I use the word advisedly—mainly consist in the re-organization of the baluta system. If honourable members will go through the clauses which are enacted therein, they will find that there is, first of all, a provision made for the conversion of the baluta into a money cess. Secondly, provision is made for the recovery of the money cess along with the land revenue. Thirdly provision is made for the division of that cess into two parts, one for services rendered to the ryot and another for services rendered to the Government; so that that part of the cess which will be apportioned for services to the Government will be obligatory, while that part of the cess which will be apportioned for private services to the ryot will be optional. Those ryots who care to employ the services of the Mahar for their private service will be obliged to pay only that part of the cess which will have been assigned for private service. The Mahars, on the other hand, if, they do not want to render service to the ryot but want to render service only to the Government shall forfeit that part of the money cess which will have been assigned for private services.

Now, Sir, the House is likely to think that I am making some novel proposals; I wish however to emphasise that none of these provisions are new. They already exist in the Watan Act. There is only a change in the existing system and a re-organization. The first provision that baluta shall be converted into a money cess will be found already existing in section 19 of the Watan Act. That is not, therefore, a new thing. Under the existing Watan Act the Collector is given the power to convert, whenever he thinks fit, the baluta into a money cess. The second provision that the collection of the money cess shall be made along with the land revenue, I submit again is not a new proposal. It already exists in the Watan Act. Reference to section 81 of the Watan Act will show that the Collector has, under the existing Act, the power to collect all haks, all remunerations, all emoluments, as if they were arrears of land revenue. Therefore, what I submit, Sir, is that there is nothing that is new in section 6 of the bill. All that is new in section 6 of my bill is that the discretion instead of

being given to the Collector is given to the parties themselves. The existing law recognises that circumstances will arise when provisions such as those contemplated by section 6 of my bill will be necessary. Otherwise those provisions would not have found any place in the existing law. What I feel is that although the Collector may have the discretion, he may not know, he may not be aware, and may not be cognisant of the fact that circumstances have arisen which require that his discretion should be exercised. All I say is that the Collector should be guided by the parties themselves in the matter of the exercise of the discretion, so that, if the parties desire that the baluta should be collected along with the land revenue, the Collector will know that the occasion has arisen for him to use his discretion. There is nothing new in this, except the transfer of the discretionary power from the Collector to the ryots and to the Mahars.

Then, Sir, the third provision as regards the partition of the baluta between two specific shares, one for private service and the other for Government service, is no doubt new. But I submit that circumstances have rendered it very necessary. According to the view of Government the baluta is a joint payment for services to the ryots and for services to Government. The Government on the 3rd of May 1899 passed a resolution No. 3074, wherein they have expressly laid down that baluta is a joint remuneration for services both to the ryots and to the Government. I need not go so far back in order to give support to this view. Even as late as 1919, the Government in the papers that they laid before this House, in reply to a question on this point relied upon the order passed by the Assistant Secretary to Government in which the proposition has been expressly emphasised, that the baluta is not paid for merely private services, but is also paid for services to Government. Now, Sir, what I submit is that the Mahars, some of them, are willing to render services to the Government, but they are not willing to render services to the ryots. There are also certain ryots, I know of, who do not want to employ an agency which is forced upon them as the Mahars are by the present law. They would like to employ on their own initiative at their own will, any one whom they would care to employ. In the same way there are some Mahars who do not want to render services to the ryot. They would like to have their freedom to serve or not to serve. But under the existing law this freedom is denied to them. They are forced to serve whether they wish it or not. This is due to the fact that the baluta is a joint remuneration and there is no way of finding out how much of the remuneration in the form of baluta is due for Government services and how much of it is due for private services. In these days of rivalry in social advancement the tension between the ryots and the Mahar has become great and will continue to grow in intensity unless freedom to employ and freedom to

serve is provided for. To achieve this purpose it is necessary to define the quota of baluta due from the ryot on account of private services to the ryots and that due for the services rendered to Government. What happens under the present circumstances is this, that if a Mahar does not render service to the ryot, all the same, there being no partition of the baluta, the ryot is obliged to pay the whole and the Mahar gets an advantage over the ryot.

On the other hand it happens that if the Mahar did not render service to the ryot but rendered services only to Government, he loses the whole of the baluta, for the reason that the ryot has no idea how much of the baluta is due from him for Government services. Not knowing this he withholds the whole and thereby causes a wrongful loss to the Mahars. It is therefore very essential, I think, in the interest of better administration and in the interests of peace in the villages that this partition of the baluta should take place. I submit it is absolutely contrary to the principle of law that the services of one class of people should be forced upon other classes of people. It would be atrocious to uphold a system under which a particular barber should alone shave us to the exclusion of any other barber. But the watan system is such an atrocious and barbarous system. I am sure the lawyer members of this House are aware that we had in the High Court a case in which one of the barbers had brought a suit that the Yajmans (the ryots) in a particular village were not entitled to employ the services of an outside barber, that whether or not that particular barber was efficient or not, whether he knew how to crop the hair or to pare the beard, he was entitled to render service to the ryots all the same. The same thing happens in the case of Mahars. What my bill aims at is freedom of contract; if the ryots do not want to employ the Mahars, they ought to have perfect liberty not to employ them, and if the Mahars do not want to serve, the Mahars should have perfect liberty not to serve. But under the present system, under the system of joint remuneration, this liberty of contract is negated and is not obtainable. My scheme provides for that freedom of contract, and I think at least in this century when every society has advanced from status to contract we ought not for instance to block the progress of Indian society by refusing the Mahars and the ryots the liberty of contract.

One thing I would like to say is that the system which I have outlined here in this bill is not altogether my own. It is a system which I have copied from the Berars. In the Central Provinces and the Berars, similar feuds and troubles were going on between ryots and the Mahars. A great agitation carried on, on the part of both the sides and Government there appointed a committee to investigate into the matter and to make their proposals. In 1920, the committee made its proposals and the Government introduced the system which I have essentially reproduced in the provisions of this bill. I submit that if the provisions

of this bill, which are the result of the recommendations of the Berar Committee, are good for the Berars, I think they cannot be bad for the Bombay Presidency, because the Berar system was a replica of the Bombay system; so much so that the whole of the Berar Committee's report is based upon the resolutions of the Bombay Government. These are the main provisions of the bill.

There is a provision in the bill, however, which probably requires a little explanation and that provision is the provision which introduces certain changes in section 9 of the Watan Act. I mean clauses 2 and 3 of my bill. Under the provisions of the Watan Act, it is laid down that watan lands shall not be alienated to any one outside the watan family. There is also a provision under section 9, which empowers the Collector to resume the land of a watandar which has been transferred to a non-watandar. But under section 9 whether or not to declare the alienation null and void and to resume such alienated land is left entirely to the discretion of the Collector. The Collector does not always choose to exercise the discretion vested in him under section 9 in favour of the watandar. This may cause no particular hardship when the land so alienated although it is watan land is not assigned as remuneration to an officiating watandar. But I submit, Sir, that if an officiator is required to render services to Government on the express understanding that his watan land has been assigned to him in remuneration for his work shall always remain in his possession, I think Government ought to resume those watan lands which have gone out of the hands of the officiator. The sections which I have introduced make the declaration of alienation as null and void obligatory upon the Collector in the case of such watan lands as are assigned as remuneration of an officiator. In introducing these sections I adopt as my basis the well-known division of watan lands into two classes, those assigned as remuneration and those not assigned as remuneration. In the case of lands not assigned as remuneration the Collector may well not exercise his discretion because of the fact that the land is not necessary immediately for the purpose of the remuneration of the officiator. In that case if the Collector does not exercise his discretion in favour of the watandar and declare the alienation null and void there is not much case for complaint. But when the land is expressly reserved and assigned as remuneration, I think the Collector ought to have no discretion whatever in the matter but in every such case, the declaration should be given that the alienation is null and void.

I admit, Sir, that there are two defects in the bill as I have drafted it, and I like to make this admission because I want to be very, very just. I do not want to throw any additional burden on the ryot in the interests of the Mahars. The simple reason is that I am an enemy of the watan system. I have striven all

along to destroy the Maharaki watan system, although I know that in the immediate future the Mahars will suffer a great loss. But I am convinced that these shackles of the watan system are the * principal causes which are keeping them backward. I am taking a long view of the matter and it is this that leads me to be indifferent to the immediate benefits to the Mahars from their watans. I cannot therefore be particularly striving to steel an advantage over the ryots, not particularly striving for benefitting the Mahars at the cost of the ryot. Honourable members of this House will see that the baluta system is, as I have organised it in my bill, not going to impose any additional burden upon the ryot. I use expressly the word "equivalent". That means no additional burden shall be levied upon the ryots for the remuneration of the Mahars. That will show how just I mean to be. That leads me to admit that there are two defects in the bill. One is that in altering section 9 (alongwith clauses 2 and 3 of the bill) so as to make it obligatory upon the collector to resume the land, there ought to be a provision allowing the Collector to pay compensation to the dispossessed non-watandar. I readily admit that the lands may have been transferred to any one in faith and for full consideration. It stands to reason that when such a transferee is deprived of it, he ought to be paid compensation. When I had first drafted this bill, I had provided that the Collector should have power to compensate the non-watandar, but on the advice of certain official members, I withdrew that, but I am prepared to make that amendment in the select committee. Secondly, I ought to have provided that just as the Mahars should have option not to serve the ryot, the ryot ought to have the option not to employ the Mahars. I am prepared also to make that amendment in the bill in the select committee to which it may be referred. These are all the things. I think, in the bill which call for explanation.

Before I bring my remarks to a close I think I ought to make it very clear to the Honourable the Revenue Member that this bill has the support of the entire Mahar population. There is no division of opinion on that point at all. In fact there cannot be a division of opinion on this bill and for very good reason. The bill is not an obligatory bill. It is purely a discretionary bill. Unless the watandar Mahars desire that the provisions of this bill should be brought into operation, they will not be brought into operation. Things will continue as they are now. A change will come only when the Mahars will feel the necessity for it. It will not be forced upon them against their will.

Mr. P. R. Chikodi: This is an unilateral arrangement. It ought to be bilateral.

Dr. B. R. Ambedkar: I know I ought to make that amendment which has been omitted but which will be made in the select committee.

I say there cannot be any opposition to this bill on the part of the Mahars themselves because the bill is not an obligatory one and it does not compel

them to take advantage of it. It only makes certain provisions in *their* interest if they want to avail themselves of them. The Mahars have not therefore objected to this bill. Indeed there cannot be any objection *on* their part. Not only have they not opposed the bill, but they have whole heartedly welcomed it. Since the time I have been at this bill I have never kept anything secret from the Mahar population. I have placed the principles and the provisions of this bill before the whole Mahar population at several meetings to enable them to express their opinion on this bill and I am glad to say that the whole of the bill and the principles embodied in it have been unanimously accepted by them. In order that the Government may not have any occasion to say that these meetings were engineered by me for the purpose of obtaining support for the bill. I have, for the most part abstained myself from attending these meetings, which have been held under the chairmanship of members of other communities. My honourable friend Mr. Bole, sitting just by my side, will corroborate me when I say that in the city of Bombay a meeting of over 5,000 watandar Mahars was held under his presidentship. Of course some people tried to fool the Mahars that the bill is going to do them harm, but I think that the honourable member will corroborate me whether or not the Mahars supported the bill unanimously without a single dissenting voice. In the same manner, I would refer to my honourable friend Mr. Rajma Lakhichand. A meeting was held of the watandar Mahars of Khandesh at Jalgaon under his presidentship, where I addressed them on the provisions and the principles of this bill. Conservatively estimated, that meeting again was attended by something like 3,000 Mahars ; the theatre was full to its capacity, and when the resolution was moved, there was not a single Mahar who opposed it. I think my honourable friend Mr. Thorat will corroborate me that a similar meeting was held in the Ahmadnagar district, where also the bill was unanimously supported. I need not of course refer to the minor meetings held at different places. I can assure the House that the Mahar people are absolutely determined to have the bill, and I may tell my honourable friends that if the Government refuse to liberate these people on grounds of finance, on grounds of convenience, or on any other grounds, that it will be a war between the Revenue Department and the Mahars. If this bill does not pass, I for myself am not going to be in the Council; I am going to spend the rest of my time in seeing that the Mahars organise a general strike, and bring the Honourable the Revenue Member to feel that the principles of this bill are absolutely essential for the welfare of the Mahar people. I am speaking from the bottom of my heart; I do not want to keep anything behind. I want to say in all seriousness that that is our aim. Sir, I have been labouring in the cause of the depressed classes for the last three years as far as I possibly can. I have come across many difficulties in my way, and I have come definitely to know that the

watan is probably the greatest difficulty that I have to face, in order to carry the Mahar population further. I am happy to find that the Mahars as well are convinced that these watans stand in the way of their advancement. I therefore hope that this Council will unanimously pass this bill. With these words, I move the first reading of the bill. Question proposed.

PART II